

 Wilson Jones

Minute Book

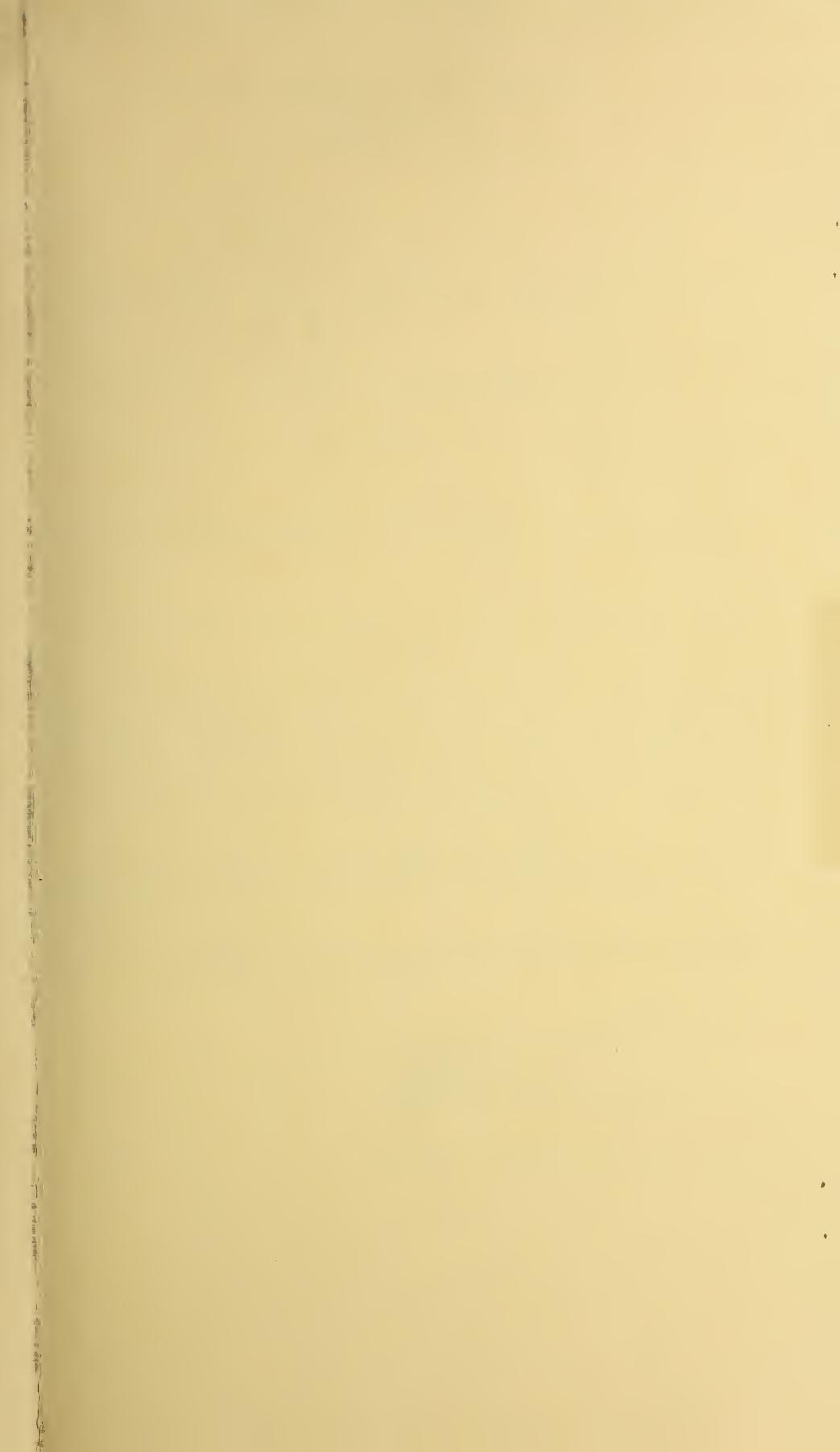
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FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
MINUTES
JANUARY 13, 1992

TIME: 4:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Emily S. Kass, Kim A. Zuber

MEMBERS ABSENT: R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Simler called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Steve Hill was not present at this Public Hearing.

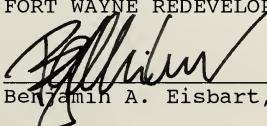
Jefferson/Illinois Road Economic Development Area and Plan

Ron Fletcher explained that the Public Hearing is in reference to the Apple Glen Project, or the Jefferson Illinois Road Economic Development Area and Plan. The area includes approximately 121 acres, which will be included in the economic development allocation area. After a brief discussion of the affected area, and overview of the TIF process, Mr. Simler asked if there was anyone wishing to speak in favor of the project.

Mr. Thomas E. Hayhurst, representing CORE, spoke to the Commission on behalf of CORE. He stated that the CORE group supports the appropriate use of the land development in the area proposed by the Redevelopment Commission.

Mr. Simler then asked if there was anyone present wishing to speak against the project. Asking the questions three times, Mr. Simler moved to adjourn the Public Hearing.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: February 10, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
MINUTES
JANUARY 13, 1992

TIME: 4:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Emily S. Kass, Kim A. Zuber

MEMBERS ABSENT: R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Simler called to order this Executive Session of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Commission Member Steve Hill was not present during this Executive Session.

Discussion of strategy reference to initiation of litigation and pending litigation 5-14-1.5-6 (b) (2) (B) and purchase of lease of real property 5-14-1.5-6 (b) (2) (D)

After a brief discussion, Mr. Simler moved to adjourn the Executive Session of the Fort Wayne Redevelopment Commission.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: February 10, 1992



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FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
JANUARY 13, 1992

TIME: 5:00 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, Benjamin A. Eisbart,
Emily S. Kass, Kim A. Zuber

MEMBERS ABSENT: R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Simler called to order this Regular Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Commission Member Steve Hill was not present during this regular monthly meeting.

APPROVAL OF MINUTES

Mr. Simler made a motion to approve the November 13, 1991, Executive Session Minutes, November 13, 1991, Special Meeting Minutes, subject to correcting an error within the title of Resolution 91-70 in the minutes, and the approval of the November 18, 1991 Regular Meeting Minutes. The motion was second by Mr. Zuber.

APPROVAL OF CLAIM(S)

Mr. Zuber made a motion to approve the October, November, and December 1991 claims. The motion was second by Mr. Eisbart.

OLD BUSINESS:

Ralph Jones - Troy Towel Development

Mr. Jones is requesting from the Commission an extension of the time frame for construction provided in his Development Agreement. Mr. Jones' contract with the Commission presently states that Mr. Jones was supposed to construct a minimum of 6,000 sq. ft. building, with an investment of at least \$155,000. This building has intended to be an addition to the existing building, located on property immediately north of and adjacent to the real estate. Mr. Jones was supposed to begin construction on or before July 31, 1991, and complete construction within twelve (12) months thereafter. Mr. Jones explained that due to new federal laws that apply to his laundry operation, he must change his scope of operation in order to adhere to the new regulations. His plans are now for a two-phased project: Phase I to begin possibly this spring will consist of a building addition to the west of the existing facility. Phase II, to begin no later than July 1993, will consist of a building addition to the north. Mr. Jones also plans to improve the appearance of his existing facility with building improvements and landscaping. He requested a change in contract that would give him to July 1993 to begin construction.

On a motion by Mr. Eisbart, second by Mr. Zuber, the Commission agreed to approve Mr. Jones' request, and amend his contract to reflect "the start of construction on or before July 31, 1993."

Minutes
January 13, 1992
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NEW BUSINESS

Resolution 92-1

**Approving contract for professional legal services
(Helmke, Beams, Boyer & Wagner)**

After a brief discussion Mr. Eisbart moved to approve Resolution 92-1, subject to some minor negotiations from staff. The motion was second by Ms. Kass.

Resolution 92-2

**Approving contract for professional legal services
(John J. Wernet)**

After a brief discussion, Mr. Eisbart moves to approve Resolution 92-2, subject to some minor negotiations from staff. The motion was second by Ms. Kass.

Resolution 92-3

Confirmatory Resolution - Jefferson/Illinois Road Economic Development Area and Plan

Mr. Fletcher noted that the Public Hearing for the Jefferson/Illinois Road Economic Development Area and Plan was just held and with no objections being heard, recommends the approval of Resolution 92-3.

On a motion by Mr. Eisbart, second by Ms. Kass, Resolution 92-3 was approved unanimously.

Resolution 92-4

Approving INB Center Project as an Economic Development Revitalization Area

Mr. Larry Shine, representing Civic Center Associates, the INB Center Project developer, informed the Commission that state statute requires the Redevelopment Commission to approve the designation of properties located within an urban renewal area as an Economic Revitalization area. Mr. Shine informed the Commission that this request has been before Council and was approved, subject to the approval of the Redevelopment Commission.

Mr. Fletcher noted that this is a 10 year tax abatement, and that it will not influence the bond issue planned for the area. The tax abatement is needed in order to make the project work financially.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 92-4 was approved.

Resolution 92-5

Establishing the acquisition price for properties in Amendment VII to the Civic Center Urban Renewal Area

Mr. Fletcher explained that he has had all of the parcels appraised in the Urban Renewal Area, Amendment VII, by two (2) independent appraisers. The acquisition price is determined by taking the average of the two appraisals. This Resolution is establishing the offering price for each one of the parcels within the project area. The acquisition prices for the 10 parcels have been reviewed by staff and Commissioners. This Resolution asks the Commission to officially set the average of the two appraisals as the acquisition price. Mr. Fletcher requested an amendment to the Resolution to state that the acquisition price is private information at this point, and will not be disclosed to the public.

Minutes
January 13, 1992
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On a motion by Mr. Zuber, second by Mr. Zuber, second by Mr. Eisbart, Resolution 92-5 was approved.

Resolution 92-6

Amending Resolution 91-71 to compensate the contractor for additional labor and materials

Loren Kravig explained to the Commission that it was brought to his attention that there was still an area of the Baker Street Train Station that was not secure against illegal entry. It was necessary to secure the four (4) doors located at the former platform loading area. There have been several things stolen out of the station since the process of securing the station began. The Contractor has agreed to secure the four (4) doors at a cost of \$200.00 a door or a total cost of \$800.00. The funds to cover the additional cost of securing the doors are available through a Community Development Block Grant, by an agreement between Community and Economic Development and Redevelopment.

On a motion by Mr. Eisbart, second by Ms. Kass, Resolution 92-6 was approved.

Resolution 92-7

Approving a Payment Procedure Agreement with the Board of Works and Safety of the City of Fort Wayne

This Resolution is in reference to the 1991 bond issue for the Coldwater Crossing Project. The Commission has been informally paying the Board of Works contracts for the public improvements affecting the Coldwater Crossing Project Economic Development area, in accordance with the bond indenture. The Commission Attorney has prepared a contract to formalize the agreement between the Board of Works and the Redevelopment Commission. Mr. Fletcher felt that a formal agreement was necessary for auditing purposes, even though Redevelopment minutes specify the approval of this process.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 92-7 was approved.

OTHER BUSINESS

Resolution 92-8

Approving the selection of S.M. Dix to provide fixture and equipment appraisal services for certain properties contained in the Civic Center Urban Renewal Area, Amendment VII

Mr. Fletcher noted that in order to proceed with the acquisition/relocation process, appraisals of business trade fixtures and equipment for occupied on-going businesses need to be accomplished. The six (6) businesses that will be appraised are Barber's Foundations and Lingerie, Central Wig Company, Jeremy's Hot Dogs, Red Dog Cafe, Dad's Place, and Subway. Mr. Fletcher has contacted S.M. Dix to provide the appraisal services, since the Commission has used this company in the past. S.M. Dix will prepare the appraisals and provide the Commission with a report once the appraisals are complete. S.M. Dix will provide their services for the six (6) affected businesses for an amount not to exceed \$4,000.00.

On a motion by Mr. Eisbart, second by Ms. Kass Resolution 92-8 was approved.

Resolution 92-9

Approving the selection of Bond Counsel for the Illinois/Getz Road Economic Development Area

Mr. Fletcher explained that a Bond Counsel is needed for the Illinois/Getz Road project. Staff recommends the services of

Minutes
January 13, 1992
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Barnes & Thornburg to serve as Bond Counsel for the Meijers project. Barnes & Thornburg has agreed to perform the services for the Commission at an amount not to exceed \$25,000.00, plus reimbursable expenses. Barnes & Thornburg is currently Bond Counsel for the Civic Center Urban Renewal Amendment VII Project..

On a motion by Mr. Eisbart, second by Ms. Kass, Resolution 92-9 was approved as written.

Jim Lindsay - Midtowne Crossing Sales and Leasing Update

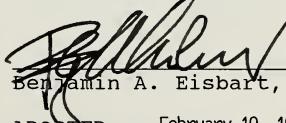
Jim reported to the Commission that there are 42 historic residential condominiums at Midtowne Crossing which have been sold and closed. Of the remaining 11 unsold condos, one has a pending purchase agreement. There are five (5) nonhistoric residential condominiums that have been sold and closed. Of the remaining 46 unsold condos, two have pending purchase agreements. Additionally, Summit Bank has finished out several of the nonhistoric condos on the second floor of the Lillie Building. They have selected a representative group of floor plans and configurations so as to give the potential buyer a better idea of what the new condos will look like when they are finished out and have furniture inside.

Jim further reported that a Hallmark Card Shop will be going into the corner commercial space at Calhoun and Wayne Street. The build-out of this space, (approximately 3200 sq. ft.) will commence in the next few days once the plans are approved. Alan Grinsfelder is the supervising architect for the build-out of this space.

Additionally, Jim mentioned that a second lease has been recently signed with an attorney who will be leasing approximately 1,000 sq. ft. in the Hutner Building. His space is on the southwest corner of the building, adjacent to the courtyard. Another lease for the commercial space west of Hallmark, on Wayne Street, is under negotiation. Once it is final, the lessee will be announced.

Ron Fletcher added that several of the lawsuits against the Commission remain pending. These include the law suits initiated by Robert Hudson and Kennedy Brown Architects.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: February 10, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
PLANNING SESSION
MINUTES
JANUARY 15, 1992

TIME: 4:00 p.m.

PLACE: City-County Building, Conference Room 810

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Emily S. Kass

MEMBERS ABSENT: R. Steven Hill and Kim A. Zuber

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Simler called to order this Planning Session of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Commission Members Steve Hill and Kim Zuber were not present during this planning session.

The planning session began with an introduction by Ron Fletcher. He explained that he would like to hold these sessions at least twice a year in order to keep the Commissioners informed and to receive feedback on various projects and how those projects fit into the overall plan for redevelopment activity in the City of Ft Wayne. Much of the focus of redevelopment activity has centered on the downtown, Ron explained, however, the Commission is now involved in projects that extend well beyond the downtown area. The TIF bond issue for Washington Center/Coldwater Road, Summit Park, Centennial Park, Meijer's Illinois/Getz Road and Apple Glen are all examples of significant Commission projects that have taken place or will take place outside of the downtown area.

Ron introduced Loren Kravig who gave a presentation about significant facts pertaining to the downtown area of Ft Wayne. Loren presented a series of maps which depict parking areas, specifically surface parking area; historical properties, vacant land, zoning designations, urban renewal boundaries, and significant landmarks and points of interest.

Discussion then followed about main entrance-ways into the downtown area. The south entrance to the downtown, on Lafayette St., is marred by a large billboard near St Mary's Church. The north entrance to the downtown is obscured by the old City light plant and by an unkempt area on the west side of Clinton Street in the vicinity of the Omni-Source Corporation. The west entrance to the downtown is marked by the old Greyhound bus station and a proliferation of fast food establishments. Discussion continued on the need to improve the entrances into the downtown area. It was a general consensus among the group that the St Mary's billboard, The Clinton Street approach and the former Greyhound bus station were major detractors and should be addressed in some positive way.

Discussion followed about pedestrian linkages between the north and south areas of the downtown. Calhoun Street and Barr street were both suggested as main routes for pedestrian traffic between these areas of the downtown. The Performing Arts Center, Barr Street market and the more quiet nature of this area contribute to this linkage. Wayne Street was suggested as a possible source of linkage

between the east and west areas of the downtown. There is a vast area of surface parking that separates the library from the main downtown area. Mr. Eisbart questioned the need for such large amounts of surface parking. He further stated that something is needed near or around the library to improve its status as a good destination for pedestrians. He recommended discussing this idea with the Director of the library.

Mr. Simler stated that the proposed area for Headwaters Park may help to address the blight in the north approach to the downtown, however, the railway crossing that runs parallel to Superior Street was a major blocking factor in the opening-up of the downtown. He further stated that he would like to see the Greyhound bus station preserved in some way because of its historic nature. If the station was restored and improved in some way, a major source of blight on the west approach to the downtown would be alleviated.

Discussion followed on vacant and blighted areas in the downtown. As Loren had earlier described, there are several pocket areas of blighted and vacant structures in the downtown area. The west Main Street area, Jefferson Boulevard west of Harrison, and the southeast and southwest quadrants were identified as pockets of blight. It was the consensus of the group that the old Standard Federal Building was a key candidate for some type of project or revitalization effort. Mr. Eisbart suggested a consolidation of state government offices as one possibility. He included entities such as Job Works and the welfare office in such a consolidation. It was noted that G.S.A. is still considering leasing in the downtown area for a new social security office. The status of this lease was not known by any members of the group.

The discussion then focused on the area around the Indiana Hotel, Embassy Theater and the Grand Wayne Center. It was mentioned that a feasibility study was underway to explore expansion possibilities for the Grand Wayne Center. The consensus of the group was the Commission should support this expansion, if approved, as a priority project. The Indiana Hotel project was also discussed and the group felt that it should also be a priority project for the Commission. Ron stated that a feasibility study was proposed, with involvement by the City, in order to examine all the options about the future use of the Indiana Hotel. He further stated that acquisitions of real estate near the Grand Wayne Center would most likely be costly since the fast food establishments have set up operation in that area. For this reason, the Commission should consider acquiring and warehousing key parcels of real estate that will play a significant role in future developments based on their location. Mr. Boyer added his support to this recommendation. Ron went on to say that the Commission may want to consider a light-industry industrial park in the area to the east of the downtown.

Ms. Kass stated that a juvenile center is planned for the old credit building that is across from the library on Washington Blvd. She stated that she was not in favor of such a use for this building in an area so near to the downtown. She also recommended that an inventory be taken of historic buildings in the downtown that are worthy of preservation. Such an inventory should be coordinated with ARCH.

Mr. Eisbart stated that he would like to see more emphasis on downtown development versus development in the suburban areas of the city. He sees the Illinois Getz Road and Apple Glen projects as taking away from the development of the core areas in the downtown. He added that he would like to see some sort of Commission involvement in the effort to rehabilitate the old City light plant. He also stated that he would like to see some sort timeline



Minutes
Planning Session
January 15, 1992
Page -3-

developed with respect to the project ideas that were discussed in this planning session.

Ron stated that the Commission should consider alley improvements as part of new projects in the downtown area. Many of the alleys in key areas of the downtown are in a very bad state of repair. He then went on to summarize major areas that the Commission should address:

1. Greyhound bus station
2. Harrison Street garage (bordered by Wayne, Harrison & Pearl)
3. Grand Wayne Center expansion
4. Indiana Hotel feasibility study
5. Headwaters Park
6. Warehousing real estate for future projects

Mr. Simler stated, before adjournment, that this session was of great benefit and he wanted to make it a regular event.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: March 9, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
MINUTES
FEBRUARY 3, 1992

TIME: 4:00 P.M.

PLACE: City-County Building, Conference Room 810

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Emily S. Kass, Glynn A. Hines

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Simler called to order this Executive Session of the Fort Wayne Redevelopment Commission.

Discussion of strategy reference to initiation of litigation and pending litigation 5-14-1.5-6 (b) (2) (B) and purchase of real property 5-14-1.5-6 (b) (2) (D)

With no other business to discuss Mr. Simler moved to adjourn the Executive Session of the Fort Wayne Redevelopment Commission.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: March 9, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING
MINUTES
FEBRUARY 3, 1992

TIME: 4:00 p.m.

PLACE: City-County Building, Conference Room 810

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Emily S. Kass, Glynn A. Hines

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

OTHERS PRESENT: Mike Claytor - Municipal Consultants
Mark Krcmaric - Barnes & Thornburg
Rod Wilson - Summers & Company

CALL TO ORDER

Mr. Simler called to order this Special Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Commission Member Ben Eisbart was absent during this meeting.

Review of Civic Center Urban Renewal Bond Issue

A brief overview of the bond issue process was given to the Commission by Mike Claytor of Municipal Consultants, the Financial Advisor, and Rod Wilson of Summers & Company, the Underwriter for the Civic Center Urban Renewal Bond issue. A schedule of TIF Revenue was discussed. This schedule shows how the TIF revenue generated from the allocation area will pay back the bond issue.

Resolution 92-10

Authorizing issuance of bond

Mr. Fletcher stated that this is the Resolution that authorizes the issuance of the \$8.0 Million Dollar TIF Bond issue for the Civic Center Urban Renewal Project Amendment VII. It has been prepared by Barnes & Thornburg, the legal counsel for this bond issue. Mr. Fletcher asked Mr. Krcmaric if he had anything to add regarding this resolution? Mr. Krcmaric stated that this Resolution has been put together with the appropriate input from the financial advisor and the underwriter as necessary. Mr. Fletcher stated that the 1986 TIF bond issue will be defeased and refunded, in accordance with the 1986 bond transcript agreements. Other than this refunding, the balance of the proceeds generated from the bond issue will be used for acquisition of real estate and improvements, demolition, site preparedness and other related expenses.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 92-10 was unanimously approved.

Resolution 92-11

Approving the expenditure of \$100,000 for the Headwaters Flood Control and Park Project

Mr. Fletcher explained to the Commission that the Headwaters Park Commission, established for the purpose of flood plain reclamation and park construction, has requested from the Commission financial

Minutes
February 3, 1992
Page -2-

assistance to proceed with the Headwaters Park project. The Redevelopment Commission at a previous meeting supported assistance to the Headwaters Park Commission with land acquisition necessary for the reclamation of flood plain. After a brief discussion, the Commission authorized staff to prepare an agreement between the Redevelopment Commission and the Headwaters Park Commission in which the Commission would participate in the project as allowed by statute.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 92-11 was unanimously approved subject to further negotiations between staff, Commission Attorney, and the Headwaters Park Commission.

OTHER BUSINESS

Resolution 92-12

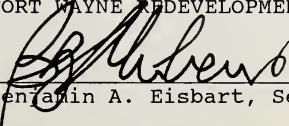
Concerning further procedures for acquisition of real estate parcels located in Civic Center urban Renewal Area Amendment VII

Mr. Fletcher explained to the Commission that appraisals have been completed in regards to each of the acquisition properties. Conditional offers to purchase the real estate have been extended to the owners of the properties to be acquired. The Commission Attorney noted that in the event agreements to purchase real estate are not negotiated, the Commission should be prepared to exercise its power of eminent domain. Mr. Fletcher stated that because of time restraints, it is necessary to enter into an amicable agreements to purchase the real estate for the prices contained in the outstanding offers. Mr. Fletcher assured the Commission that its power of eminent domain would only be used if amicable agreements could not be reached with the respective owners within thirty days of the offer to purchase. Mr. Fletcher went on to say that if any of the negotiations break down, staff needs to be able to go forward immediately to start the proceedings under eminent domain.

On a motion by Ms. Kass, second by Mr. Hill, Resolution 92-12 was unanimously approved as written.

With no further business to discuss, Mr. Simler moved to adjourn the February 3rd Commission Meeting, the motion was second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: March 9, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
MINUTES
FEBRUARY 10, 1992

TIME: 4:00 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, Glynn A. Hines,
R. Steven Hill

MEMBERS ABSENT: Benjamin A. Eisbart and Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

OTHERS PRESENT: Mike Claytor, Municipal Consultants
Rod Wilson, Summers & Company
Mark Krcmaric, Barnes & Thornburg

CALL TO ORDER

Mr. Simler called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

ROLL CALL

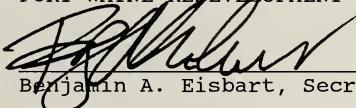
Mr. Simler noted that Commission Member Emily S. Kass was not present during this Public Hearing.

Request for additional appropriation in the amount not to exceed \$8,000,000 to pay cost of refinance 1986 tax allocation revenue bond (Courtyards Festival Marketplace project)

Mr. Fletcher stated that the Redevelopment Commission began the process of the project since September of 1991. The Redevelopment Commission has been going through a process of sizing a bond since May of 1991. The bonds have been advertised in the Journal Gazette and the News Sentinel, a public hearing has been scheduled, the public will have a chance to speak for or against this request during the public hearing, and the Commission will vote as to whether or note this request is acceptable at a regular meeting. The project is located at the northwest and northeast corner of Calhoun and Wayne Streets. There will be approximately 10 acquisitions of real estate, approximately 9 on the northwest corner, and approximately 1 in the 2 story Murphys Building. The estimated total project cost is \$15 Million Dollars, the Redevelopment Commission's contribution to the project is estimated to be \$2.2 Million Dollars. Mr. Fletcher explained that part of the bond will pay off the 1986 bond issue, which staff will be defeasing that bond issue plus paying off, net proceeds for the project is approximately \$2.2 Million Dollars.

Mr. Simler asked if there was anyone present that wish to speak against the request for additional appropriation. Mr. Simler asked three times before asking if there was anyone present that wished to speak in favor of the request for additional appropriation. After hearing no response, Mr. Simler moved to adjourn the Public Hearing.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: March 9, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
FEBRUARY 10, 1992

TIME: 4:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart
Glynn A. Hines, R. Steven Hill

MEMBERS ABSENT: Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

OTHERS PRESENT: Mike Clayton, Municipal Consultants
Mark Krcmaric, Barnes & Thornburg
Rod Wilson, Summers & Company

CALL TO ORDER

Mr. Simler called to order this Regular Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Commission Member Emily S. Kass was not present during this meeting.

**BID OPENING CIVIC CENTER AMENDMENT VII
Asbestos Abatement and Demolition**

Asbestos Abatement:

Specialty Systems, Inc., with a base bid of \$21,898.00 and an alternate bid of \$25,179.00

Environmental Management Specialists, Inc., with a base bid of \$12,205.00 and an alternate bid of \$14,625.00

Environment Technology, Inc., with a base bid of \$28,000.00 and an alternate bid of \$16,563.00

SPIRCO Environmental, Inc., with a base bid of \$43,880.00 and an alternate bid of \$34,500.00

Star Environmental, Inc., with a base bid of \$32,500.00 and an alternate bid of \$6,000.00

U.S. Abatement, Inc., with a base bid of \$43,487.50 and an alternate bid of \$23,512.50

Demolition:

Martin, Inc., with a base bid of \$337,000.00, Alternate #1 (+), \$2,500.00, Alternate #2 (-), \$1,500, Alternate #3 (-), \$2,700.00, Alternate #4 (+), no charge.

Ness, Inc., with a base bid of \$378,100, Alternate #1 (+), \$5,000.00, Alternate #2 (-), \$5,000.00, Alternate #3 (-), no charge, Alternate #4 (+), no charge.

Minutes
February 10, 1992
Page -2-

Mr. Fletcher announced that a decision will be made at our next scheduled Commission meeting.

FAREWELL

The Commission took a moment to thank Kim Alan Zuber for 9 years of outstanding service to the Fort Wayne Redevelopment Commission and to present him with a plaque from the Commission and a certificate from Mayor Paul Helmke.

APPROVAL OF MINUTES

Mr. Hill made a motion to approve the January 13, 1992 Executive Session Minutes, Public Hearing Minutes, and Regular Meeting Minutes. The motion was second by Mr. Hines.

APPROVAL OF CLAIMS

Mr. Hill made a motion to approve the December Claims, second by Mr. Hines.

ELECTION OF OFFICERS

It was unanimously agreed to postpone the election of officers until the next scheduled meeting.

Resolution 92-17

Approving the sale of Lot 16, Summit Park to Neff Engineering Company

Mr. Fletcher introduced Mr. Harry Neff to the Commission, Mr. Neff has made an offer to purchase Lot 16 located in Summit Industrial Park. Mr. Fletcher has reviewed Mr. Neff's offer of \$29,597 per acre for a total of \$117,500.00. he believes that the offer is reasonable, and has agreed to adhere to the covenants as it relates to Summit Industrial Park. He plans to construct a 25,000 sq. ft. facility, creating 5 to 8 additional jobs. The facility will occupy approximately 3.97 acres. The staff recommends the approval of said agreement.

After a brief discussion with Mr. Neff, Mr. Hines made a motion to approve the offer to purchase made by Mr. Neff, second by Mr. Hill, the Commission unanimously approved Resolution 92-17.

Resolution 92-13

Appropriating Bond Issue for the Civic Center Urban Renewal Amendment VII

Mr. Fletcher introduced Mike Claytor of Municipal Consultants, Financial Advisor, and Rod Wilson of Summers & Company, the Underwriter for the project. Mr. Claytor explained to the Commission the procedure in which an appropriation in the amount of eight million dollars shall be made to pay for the governmental purposes to be financed by the bonds and incidental expenses to be incurred in connection with the project.

On a motion by Mr. Eisbart, second by Mr. Hines, the Resolution was unanimously approved.

Resolution 92-14

**Approving Relocation Rules and Procedures for Dwellings
(Civic Center Amendment VII)**

Mr. Fletcher stated that the only residential in the acquisition/relocation area is Dale Taylor. Staff and Counsel have reviewed I.C. 8-23-17 "Relocation Assistance" and have developed relocation rules and procedures as it relates to the Civic Center project. According to the Indiana Code, the Commission is obligated to develop rules and procedures consistent with the legislation.

After a brief discussion, Mr. Hill made a motion to approve Resolution 92-14, second by Mr. Eisbart, the decision was unanimously approved.

Resolution 92-15

Approving an Agreement with the Galbreath Company

In the past there has been discussion of improving the transit mall to enhance its appearance. Staff has heard complaints of the appearance from tenants, and prospective tenants regarding the appearance of the mall. The Galbreath Company is currently managing One Summit Square, and is concerned about this also. The Galbreath Company in 1991 agreed to share the cost of the repair work with the Redevelopment Commission. Mr. Fletcher agreed and asked Galbreath to submit a bill accordingly. The planters were purchased by the Galbreath Company and planted, in which the Galbreath Company is now billing the Redevelopment Commission for their portion of the bill which is \$695.50. Staff has prepared an agreement between the Galbreath Company and the Redevelopment Commission agreeing to the expenditure for the improvements along Calhoun Street. The Galbreath Company has recently submitted a request for payment for our portion of the bill.

On a motion by Mr. Eisbart, second by Mr. Hill, the Commission unanimously approved Resolution 92-15.

Resolution 92-16

Approving an Amendment to Troy Towel Supply Company Development Agreement

Mr. Fletcher stated that at a previous Commission meeting, the Commission agreed to allow Ralph Jones of Troy Towel Supply Company to extend his Development Agreement. Mr. Jones made a presentation to the Commission explaining his circumstances. The Commission agreed to allow the developer to commence construction of the addition to his existing property no later than July 1993. Mr. Jones purchased the property from the Commission in May of 1990 with the intentions of constructing a 6,000 sq. ft. building. Mr. Jones stated that his plans have not changed, but due to recent federal laws that apply to his laundry operation, he must change his scope of operation in order to adhere to the new regulations. Which meant a delay in the construction of the facility. Staff has prepared this resolution to reflect the approval of the Commission and change in the existing development agreement.

On a motion by Mr. Eisbart, second by Mr. Hill, Resolution 92-16 was unanimously approved.

OTHER BUSINESS

Resolution 92-18

Approving agreement to perform professional accounting services for the 1992 Civic Center Urban Renewal Project Bond Issue

Mr. Fletcher noted that we are in the process of issuing a 1992 TIF bond which will refund the 1986 TIF bond issue and to fund the acquisition of property, relocation of owners and tenants.

The refund of the 1986 bond issue requires the services of a professional accounting firm to provide an escrow verification report. Staff has investigated, and the average cost of this type of report is approximately \$4,000.00. Cooper & Lybrand has agreed to perform said services at an amount not to exceed \$2,800.00. Staff recommends Cooper & Lybrand perform said accounting services.

On a motion by Mr. Eisbart, second by Mr. Hill, Resolution 92-18 was unanimously approved.

Resolution 92-19

Determining urgent need for property and relocation of owners and tenants

Staff and Commission Attorney recommend the Commission declare an urgent need to acquire the real estate within the Civic Center Urban Renewal Amendment VII project area. Mr. Fletcher stated that he has had several meetings with owners and tenants over the past several months on the topic of acquisition and relocation. Therefore, it should be no surprise to owners and tenants that acquisition and relocation be done in a timely manner to meet the spring construction season. Mr. Simler stated that he does not want to put anyone on the streets. Mr. Fletcher assured the Commission that no one would be put out on the street and that everyone will be accorded all the benefits of relocation to which they are entitled. Mr. Fletcher is currently meeting with some of the tenants to discuss in more detail their relocation needs and concerns. Mr. Fletcher and the Commission Attorney recommend that sixty (60) days from the receipt of the Intent to Acquire Real Estate and the Intent to Initiate Relocation be given to begin the process. The sixty day notice is necessary to remind the property owners and tenants the timing aspect of the process for all involved. After a brief discussion, the Commission authorized staff to proceed with the acquisition of real estate and relocation of its occupants from the affected properties, and continue assisting the property owners and tenants with their relocation and acquisition needs. Mr. Fletcher also noted that if for some reason a property owner or tenant has passed their 60 day notice, staff will advise the Commission of the situation, and discuss the next plan of action.

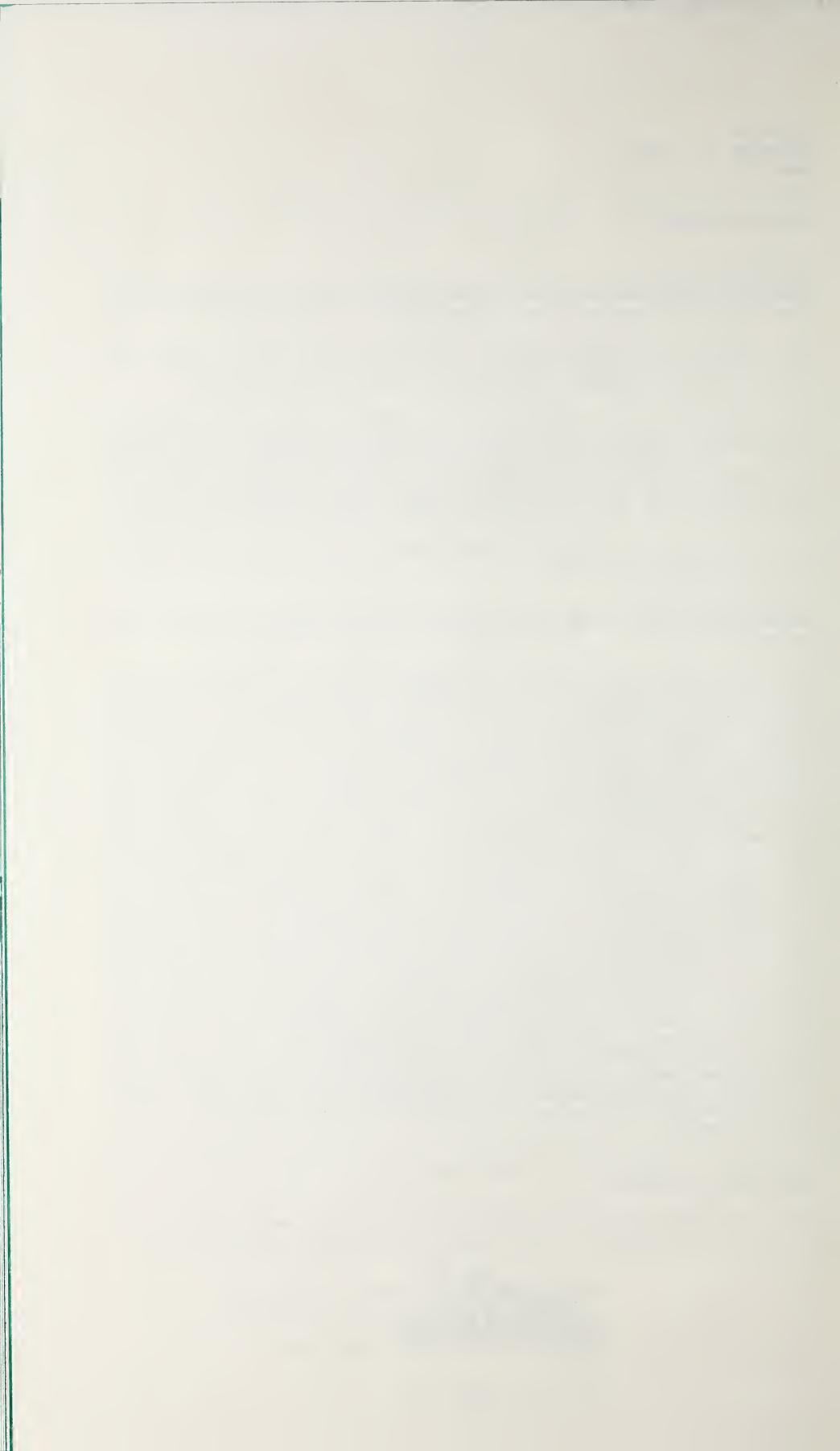
On a motion by Mr. Hines, second by Mr. Hill, Resolution 92-19 was unanimously approved.

With no further business to discuss, Mr. Simler made a motion to adjourn the February 10, 1992 Commission Meeting, second by Mr.

FORT WAYNE REDEVELOPMENT COMMISSION


Benjamin A. Eisbart, Secretary

ADOPTED: March 9, 1992



FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING MINUTES
MARCH 9, 1992

TIME: 4:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Glynn A. Hines, Emily S. Kass

MEMBERS ABSENT: R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Simler called to order this meeting of the Fort Wayne Redevelopment Commission. Mr. Simler noted that the Commission will handle the bid opening(s) before going into the regular monthly meeting.

ROLL CALL

Mr. Simler noted that Commission Member Steve Hill was not present during this Regular Meeting.

BID OPENING

Civic Center Urban Renewal Area, Amendment VII, Asbestos Abatement

Mr. Fletcher noted that the first bids to be opened will be in reference to the Parking Garage.

	<u>Principal Bid</u>	<u>Alt. #1 (+)</u>	<u>Alt. #2 (-)</u>
Environmental Mngt.	\$48,350.00	\$40,500.00	\$2,100.00
Environmental Tech.	\$45,000.00	\$52,640.00	\$1,420.00
Specialty Systems	\$61,439.00	\$35,402.00	\$ -0-
SPIRCO	\$98,227.00	\$74,250.00	\$4,450.00

Mr. Fletcher stated that the asbestos abatement bids will be carefully examined and awarded at the next scheduled Commission meeting.

Baker Street Train Station, Asbestos Abatement and Interior Demolition

Mr. Fletcher commented that the asbestos abatement bids for the Baker Street Train Station will be opened next.

	<u>Principal Bid</u>	<u>Alt. #1 (+)</u>	<u>Alt. #2 (-)</u>
Environmental Mngt.	\$10,500.00	\$ 9,210.00	\$ 500.00
Specialty Systems	\$17,434.00	\$10,566.00	\$ -0-
Environment Tech.	\$18,849.00	\$10,618.00	\$2,693.00
Star	\$23,500.00	\$ 6,000.00	\$2,000.00
SPIRCO	\$35,937.00	\$18,770.00	\$5,925.00
Advanced Environ.	\$37,940.00	\$18,150.00	\$2,400.00

Baker Street Train Station, Interior Demolition

Last bids to be opened will be in reference to the interior demolition of the Baker Street Train Station. Strebig Construction submitted a bid of \$37,468.00, Martin Enterprise submitted a bid of \$45,000.00, and Hoepnner Construction submitted a bid of \$19,258.00.

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Mr. Simler noted that the bids will be taken under advisement and will be awarded at the next scheduled Commission meeting.

Mr. Simler noted, as the Commission moved into its regular monthly meeting, that Commission Member Steve Hill was not present.

ELECTION OF OFFICERS

Mr. Simler recommended that the election of officers be postponed until all Commission members were present. The recommendation was agreed upon unanimously.

APPROVAL OF CLAIMS

Mr. Eisbart made a motion to approve the January Claims, second by Mr. Hines.

APPROVAL OF MINUTE(S)

Mr. Eisbart made a motion to approve the January 15, 1992 Planning Session, the February 3, 1992 Executive Session/Special Meeting, and the February 10, 1992 Public Hearing/Regular Meeting. The motion was second by Mr. Hines and approved unanimously.

OLD BUSINESS

No old business to report at this time.

NEW BUSINESS

Civic Center Urban Renewal Amendment VII Update (Acquisition, Relocation, Bond Issue)

Mr. Fletcher explained to the Commission that as far as acquisition, the developer either has real estate under option, or we have a signed agreement to purchase, all of the real estate within the Amended area.

As far as relocation, staff has been focusing on finding possible locations to which owners of the restaurants and/or businesses can relocate. Mr. Fletcher stated that at this time there is only one (1) business for which we have not found a location. One of the restaurant owners would like to relocate to Midtowne Crossing. The desired location could pose a problem, because of the exhaust system that must be installed. Staff plans to investigate putting in the exhaust system on the outside of the building. The system would have to go up at least four (4) stories on the side of the building, where the alley is located, and a brick enclosure would have to be placed around the system so it would blend into the building. Mr. Eisbart asked if staff has contacted the bank and requested any type of financial assistance, in order to offset some of the Commission's expenses. Mr. Fletcher stated that he did not think the Bank would be opposed to financially assisting if the lease terms were appropriate.

Mr. Fletcher stated the bond issue is on track. He felt that there was no reason why the deadline date of March 17th should be a problem. Mr. Fletcher stated that Rod Wilson, the Underwriter for the project was present to answer any questions the Commission may have regarding the bond issue as well as Resolution 92-24 and Resolution 92-25.

Redevelopment Commission Annual Report

Mr. Fletcher asked if the Commission received the annual report, and noted that each year staff prepares an annual report to the Mayor. The annual report lists some of the contracts that were entered into last year, the projects the Commission has been

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engaged in during the year, along with the financials and maps outlining various project areas.

Resolution 92-20
Resolution approving ATEC Contract

Mr. Fletcher explained to the Commission that an asbestos report was needed for the Civic Center Urban Renewal Area Parking Garage area. ATEC has been the successful bidder on past projects such as the Baker Street Train Station project. Staff stated because of the time frame involved, it is necessary to obtain an asbestos investigation report to confirm the content of suspect asbestos-containing materials. Mr. Fletcher mentioned that staff has solicited price quotations for the project and has determined that ATEC Associates, Inc., is the lowest and best contractor to perform the service. Having supplied the Commission with their services in the past, staff recommends the services of ATEC Associates, Inc., to perform the asbestos report. ATEC has agreed to perform the service at an amount not to exceed \$2,744.08.

On a motion by Mr. Hines, second by Mr. Eisbart, Resolution 92-20 was unanimously approved.

Resolution 92-21
Awarding contracts for demolition, Civic Center Urban Renewal Area, Amendment VII

Mr. Simler made mention that he does have a business relationship with sister companies of Martin Enterprise. Mr. Simler went on to say that he has consulted with the Commissions legal counsel and has also spoke with a representative of this company. The company that this proposal is in favor of is not a direct subsidiary of the company with which Mr. Simler has a business relationship with. Mr. Boyer stated it was his opinion that there was no conflict of interest because of Mr. Simler's business relationship with this particular company. Mr. Boyer also stated that he understands that sister companies are connected by common ownership, but that they are all independent corporations.

Mr. Fletcher stated that at a previous Commission meeting, bids were opened pertaining to the demolition of certain parcels located within the Civic Center Urban Renewal Area, Amendment VII. Martin Enterprises with a bid of \$335,300 and Ness Excavating with a bid of \$378,100, were the two bidders. Mr. Fletcher further stated that the bids were carefully evaluated and that staff recommends based on the lowest and best bid, Martin Enterprise be awarded the bid for an amount not to exceed \$335,300.00, which is subject to the TIF bond issue to be put in place, the proceeds deposited, and the acquisition of the necessary real estate.

On a motion by Mr. Hines, second by Mr. Eisbart, Resolution 92-21 was unanimously approved as written.

Resolution 92-22
Awarding contracts for asbestos abatement, Civic Center Urban Renewal Area, Amendment VII

Mr. Fletcher stated that during the same meeting that the demolition bids were opened for the Civic Center Urban Renewal Area, Amendment VII, bids were also opened for asbestos abatement. Bids were submitted by: EMS, \$12,205.00, with an alternate of \$14,625.00; Specialty Systems, Inc., \$21,898.00, with an alternate of \$25,179.00; Environment Technology, \$28,000.00, with an alternate of \$16,563.00; Star Environmental, \$32,500.00, with an alternate of \$6,000.00; U.S. Abatement with a bid of \$43,487.50, with an alternate of \$23,512.50; and Spirco Environmental, with a bid of \$43,880.00; and an alternate of \$34,500.00. The bids were carefully evaluated and it was determined that Environmental

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Management Specialists has the lowest and best combined bid of \$26,840.00.

Mr. Boyer noted to the Commission that in this particular case, there is a very aggressive patentee of an environmental control system for asbestos abatement, who is aggressively trying to obtain work before his patent is finally declared valid. His patent has already been declared invalid at one level, but it is still valid until his appeals run out. He has notified everyone that Environmental Management Specialists (EMS), is not a licensee of his system. Counsel has prepared contract language that protects the Commission from any litigation arising out of any alleged patent infringement.

Mr. Hines was concerned with the fact that the bid submitted by EMS was considerably lower than that of the other bidders. Mr. Fletcher asked Loren Kravig to give the Commission a brief overview of how this company was checked out. Loren stated that the owner of EMS formerly worked for one of the other bidders, established his own company about a year ago, and since then has developed a reputation of being a very competitive low bidder on projects, not only ours but other projects. He does not have some of the overhead that the larger companies have, so therefore he feels then he is more competitive. As far as his qualifications, Loren stated that he has contacted people on the list of references which was provided as a bid requirement. Every one of the references had very high praise for the contractor as well as his company. Loren went on to say that he has contacted the State Department of Environmental Management which accredits these particular companies, and based on the information that they have on file, Loren found no reason that this company should not be awarded the bid. Mr. Fletcher asked Loren to provide the Commission with some of the references that were contacted. Loren stated that Fort Wayne Community Schools, YWCA, and YMCA were some of the references listed. The majority of the references listed were companies that he has had business dealings with through his own company. Loren also noted that asbestos work is pretty similar from job to job, involving floor tiles, and/or pipe insulation in most cases, sometimes other forms of asbestos. Mr. Fletcher stated that he has found no reason to disqualify this bidder. Another requirement of the bid is to indicate in writing where the contractor would be disposing of the asbestos materials, which must be a State approved landfill. That too checks out.

Mr. Eisbart asked if a financial statement was required of Environmental Management Specialists (EMS). Loren informed the Commission that this company did provide staff with a financial statement, and that the statement indicated that the company is solvent.

After staff provided the Commission with the information it required to approve this Resolution, Mr. Eisbart made a motion to approve Resolution 92-22, second by Mr. Hines, and the Resolution was unanimously approved by the Commission.

Resolution 92-23

Approving awarding contract to Environment Remediation Services (ERS), Inc., for underground storage tank closure in the Civic Center Urban Renewal Area, Amendment VII

Mr. Fletcher explained to the Commission that there are two (2) underground storage tanks located in the basement of the two-story portion of the former G.C. Murphy Building, which will be removed. After the tanks are removed, Environmental Remediation Services (ERS), will go in and take four (4) samples of the soil. If the soil is contaminated, the soil will be removed and replaced with clean backfill. There were three (3) bids on this particular project. Staff recommends the services of Environment Remediation

Services (ERS), to perform the services.

Mr. Eisbart asked if this company has also been checked out accordingly. Staff mentioned that the Commission has not used this company in the past and that due to the small dollar amount of the contract (approximately \$1,200.00), little investigation had been carried out. Most of the contractors for this kind of procedure have on-site testing equipment that is used to detect petroleum vapors. The test is taken to their laboratories, and in this case, a 24 hour turn-around period will produce results. Based on preliminary sampling that the developer has had performed, and the fact that these are heating oil tanks, there is no indication that there is a problem with soil contamination.

Mr. Simler asked what has happened in past experiences with low bidders. Mr. Fletcher stated that the bidder must be lowest and best bid. If for some reason the lowest bidder is not the best, the Commission can elect to go with another company. Mr. Fletcher stated that it is difficult to assess, without the contractor having an experience record if the contractor can perform the services. After further discussion, it was agreed by the Commission and staff that this company be checked out in more detail. Loren noted to the Commission that further investigation would not be a problem. This particular test cannot take place until the building is demolished. Mr. Fletcher added that staff intends to go through a process with a indepth report of this company. Therefore, tabling this Resolution until the next scheduled Commission meeting would be no problem.

On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-23 was unanimously tabled until further notice.

Resolution 92-24

Resolution approving Amending Resolution 92-10 Bond issue call date and form of escrow agreement Civic Center Urban Renewal, Amendment VII

After a brief discussion, Mr. Eisbart made a motion to approve Resolution 92-24 and Resolution 92-25, second by Mr. Hines, the motion was unanimously approved.

Resolution 92-25

Approving a Bond Purchase Agreement

Mr. Rod Wilson, Vice President of Summers & Company and the Underwriter for the Civic Center Urban Renewal Project introduced himself to the Commission. Mr. Wilson stated that the Resolution(s) that are before the Commission amend and complete the documentation that the Commission has approved previously at its Commission meetings. Since the February Commission meeting, there was a time period that had to expire before Summers & Company could

go to the market. During the time period, interest rates rose marginly. Mr. Wilson noted that after going to market he was able to find a significant amount of retail interest, and the results were that Summers & Company was willing, towards the end of February, to enter into a purchase agreement with the Redevelopment Commission for \$6,475,000 Series A & B Tax Increment Financing Revenue Bonds, with interest rates that averaged 7.092%. The issue is divided into approximately 3 3/4 Million of refinancing of the Series 1986 Bond issue, with the remainder going toward acquisition and site preparation in Amendment VII.

Commission Counsel, David Boyer briefly summarized each of the sections within the Resolutions for the Commission. After further discussion, staff and counsel recommended the approval of Resolution 92-24 and Resolution 92-25.

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On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-24 and Resolution 92-25 was unanimously approved by the Commission.

Resolution 92-26

Approving a contract for reappraisal services for the Civic Center Urban Renewal Project, Amendment VII

Mr. Fletcher stated that in order to do an acquisition it is necessary to have two (2) appraisals, then establish the average of the two (2) appraisals as the acquisition price. The fees on the original appraisals were \$8,900.00 and \$9,000.00. Mr. Fletcher went on to say, on the reappraisals, certain restrictions have been put on the property. #1. The developer has to build at least a 350 space parking garage with commercial on the first floor. #2. The northeast parcel must serve as a parking plaza for a period of at least 5 years. These are restrictions that we have put on our disposition of the real estate. These types of stipulations will be taken into consideration when the appraisers reappraise the cleared land. Staff recommends that the services of Larry Misner and Ron Gettel be employed to provide said reappraisals at a fee not to exceed \$3,500.00 each accordingly.

On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-26 was unanimously approved.

Resolution 92-27

Approving an extension of the Exclusive Listing Agreement with Roth & Wehrly Realtors

Mr. Fletcher noted that the Redevelopment Commission still owns the non-historic condos located at Midtowne Crossing. A letter of understanding with Summit Bank states that the Redevelopment Commission will eventually, when sold or leased deed those condos to the appropriate party, whether it is the bank or another party. If the residential condos are sold, then we transfer directly to the owner. If the residential condos are leased, then it is transferred to the bank. Since the Redevelopment Commission presently owns the non-historic residential condos, it is the Commission's responsibility to approve the real estate exclusive listing to sell and market the project. This Resolution extends the exclusive listing Roth & Wehrly has on the non-historical residential condos for a period of 90 days.

On a motion by Mr. Hines, second by Mr. Eisbart, Resolution 92-27 was unanimously approved.

Resolution 92-28

Approving the designation of Lot 16, Summit Park as an Economic Revitalization area for Neff Engineering Company, Inc.

At a previous Commission meeting, the Redevelopment Commission approved selling Lot 16, located in Summit Industrial Park to Neff Engineering. Staff anticipates closing on this property the end of March. Neff Engineering anticipates the development of 5-8 jobs over a period of time, with a increase of \$175,000 in payroll.

Neff Engineering is going through the process of applying for tax abatement through the Department of Economic Development.

Jim Lindsay noted to the Commission that the reason the Commission must review and take action on the designation of the areas as an economic revitalization area is because the property is located within an economic development TIF area. The request will go to Council for approval as well.

On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-28 was unanimously approved.

NEW BUSINESS

Resolution 92-29

Approving payment to Ronald Lunz Excavating and Trucking

This Resolution is requesting payment to be made to Ronald Lunz for securing window openings at the Baker Street Train Station. The services have been performed in a satisfactory manner, and staff recommends the approval of payment in an amount not to exceed \$78.00.

On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-29 was unanimously approved as written.

Resolution 92-30

Approving an Exclusive Listing Agreement with Goldstine, Inc.

Mr. Fletcher stated that Goldstine, Inc., Steve Wesner, is the commercial real estate agent for the Midtowne Crossing Project. The Exclusive Listing Agreement the Redevelopment Commission currently has with Goldstine expired on February 29, 1992. Staff desires to retain Goldstine, Inc., as the commercial real estate agent for the sales and marketing of the Vogue Building (also known as the Jefferson House) located on West Wayne Street. Mr. Eisbart asked if Goldstine, Inc. has had a sale of real estate since the listing began. Mr. Fletcher advised Mr. Eisbart that it was Goldstine, Inc. that brought Midtowne Stationers into Midtowne Crossing. Goldstine, Inc., is currently negotiating with Salad Galley to locate in Midtowne Crossing, as well as a national fast food restaurant.

On a motion by Hines, second by Mr. Eisbart, the Commission unanimously approved extending the Exclusive Listing Agreement with Goldstine, Inc.

Discuss Science Central Strategic Plan

Mr. Fletcher mentioned to the Commission that he received a letter and information brochure from Science Central. Science Central is requesting financial assistance from the Redevelopment Commission. Ron Prater and Dave Willman presented to the Commission the Science Central Strategic Plan. Science Central is hoping to construct a science center in the vacant city light plant, located within the Headwaters Park area. Mr. Hines asked Mr. Willman what specifically is his request from the Commission at this time. Mr. Willman stated that they are not requesting anything at this time. Their plan was just to make a presentation to the Commission to offer a little more information about Science Central, and answer any questions the Commission may have. Mr. Willman stated that as the committee gets a little closer to final plans of the development, Science Central will request financial assistance from

the Commission at that time. Mr. Simler explained to Mr. Willman and Mr. Prater that the Commission is set up to deal with areas which have been identified as economically distressed areas, and the Commission as a whole must declare the area as an urban renewal area, and Science Central does not presently fall into that category.

Mr. Eisbart stated that is currently a board member of Science Central and suggested possibly expanding the boundaries of one of the downtown urban renewal areas to possibly accommodate Science Central's request for assistance. Mr. Eisbart noted that the Commission has been involved with Apple Glen and Coldwater Crossing, etc., slightly upscale compared to Science Central. Mr. Eisbart went on to say that Science Central was located in the downtown area, the Redevelopment Commission could assist Science

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Central in becoming an attraction along with the art museum, the zoo, and the Old Fort. Mr. Eisbart went on to say, since the Commission has assisted other developments and/or organizations in the past, there is a role that the Redevelopment Commission can play in assisting public sector entities.

Mr. Willman stated that their plan is to have Science Central open by late spring of 1994 in time for the bicentennial festivities.

With no other business to discuss, Mr. Simler made a motion to adjourn the March 9, 1992 Fort Wayne Redevelopment Commission meeting, second by Mr. Eisbart.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: April 7, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING
MINUTES
MARCH 18, 1992

TIME: 4:00 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: George F. Simler, III, Glynn A. Hines,
R. Steven Hill

MEMBERS ABSENT: Benjamin A. Eisbart and Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Simler called to order this Special Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Commission Members Ben Eisbart, and Emily Kass were not present during this Special Meeting.

ELECTION OF OFFICERS

It was unanimously agreed to postpone the election of officers until the next scheduled Commission meeting.

OLD BUSINESS

Resolution 92-23

Granting conditional contract award to Environmental Remediation Services (ERS), Inc., for underground storage tank closure in the Civic Center Urban Renewal Area, Amendment VII

Loren Kravig informed the Commission that with respect to Resolution 92-23 and Resolutions 92-31, 32, and 33, he has contacted each one of the companys references in order to address concern expressed over contractor qualifications at the last Commission meeting. Loren asked each of the bidders if: (1). they understood the job that they were bidding on, to insure that they were all bidding on the same thing, (2). had the company performed satisfactorily in the past, on a similar type of job, (3). they were on time, (4). they were on budget, and (5). the job was similar in terms of size. With respect to Environmental Remediation Services (ERS), it is a new company, approximately a year old. However, both the proprietors, Mr. Mark Weaver and Mr. Rod Wilson have had extensive experience in projects dealing with underground storage tanks. All references were favorable regarding the questions listed above. Loren proceeded to say that, based on the calls that he has made, and the responses that he has received, and the discussions with the two gentlemen who own the company, and the type of work that needs to be done, namely the removal of the underground storage tanks located at the INB Center project site, it would be his recommendation to award this contract to ERS, Inc.

Mr. Fletcher asked Loren how many references were contacted? Loren stated that he contacted approximately 5 references. Mr. Fletcher added that the City does have a department that promotes new and emerging businesses, and does not believe that the Commission should penalize anyone for having a fairly new business.

Loren continued to say that the contract should be awarded based on this company's track record, and by virtue of their training experience and/or education. Both owners have educational background in the environmental science area, and have worked for Pollution Control Systems, a well established company in the field.

Mr. Hines was curious as to whether or not the Commission would be protected by a bond. Mr. Fletcher noted that a bond would not be required on this particular kind of job. They will not be constructing anything, just removing the storage tanks.

Mr. Hill made a motion to approve Resolution 92-23, second by Mr. Hines, the Resolution was unanimously approved.

NEW BUSINESS

Resolution 92-31

Granting conditional contract award to Environmental Management Specialists, Inc., for asbestos abatement in the Civic Center Urban Renewal Area, Amendment VII

Mr. Fletcher reminded the Commission of the bid opening during the previous meeting, for which Res. 92-31, Res. 92-32, and Res. 92-33 have been introduced. Loren Kravig has gone through a similar investigation as it relates to each one of the resolutions. Loren Kravig stated that Environmental Management Specialists is the same company that was the low bidder on the 2-story portion of the G.C. Murphy Building. The Commission awarded the contract to them, with the condition that financing is available and that the real estate is acquired. As part of the investigation, Loren contacted 10 references on this company: all were very positive; the job was done right, on time, and within budget. Loren has also contacted the State Department of Environmental Management, which had nothing on record showing any regulatory problems with this company. Mr. Papaik, along with the other bidders, took part in a pre-bid conference, and also took it upon himself to investigate the job site on his own. Staff recommends the services of Environmental Management Specialists, Inc.

Mr. Hill made a motion to approve Resolution 92-31, second by Mr. Hines. Resolution 92-31 was unanimously approved.

Resolution 92-32

Granting conditional contract award to Environmental Management Specialists, Inc., for asbestos abatement at the Baker Street Railroad Station

Mr. Fletcher noted that Environmental Management Specialists was the low bidder and has been thoroughly checked out by staff. Staff found no reason that the bid should not be awarded to this company. Staff recommends the awarding of the bid to Environmental Management Specialists, Inc., for asbestos removal at the Baker Street Railroad Station.

On a motion by Mr. Hill, second by Mr. Hines, Resolution 92-32 was unanimously approved.

Resolution 92-33

Granting conditional contract award to Hoeppner Construction, Inc., for selective interior demolition and clean up at the Baker Street Railroad Station

Loren stated that he and the architect met with Max Hoeppner and discussed whether or not he understood the job, and discussed the fact that he was low bidder by a wide margin. Mr. Hoeppner submitted a bid in the amount of \$19,258.00, Strebig Construction submitted a bid for \$37,468.00, and Martin Enterprises submitted a bid for \$45,000.00.

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Mr. Hoeppner was asked some follow-up questions regarding the project and the Davis-Bacon Wage Scale. Loren contacted nine (9) references provided by the contractor and they all were former customers: Parkview Memorial Hospital, Sturges, Griffin & Trent, Harding & Dahm, Tokheim Corporation, Uniroyal Goodrich, a local architect and a law firm. Loren went on to say that based on the reference check, he did not find anything that gave him any reservations about awarding the contract to Hoeppner Construction.

Mr. Fletcher mentioned that Alan Grinsfelder handled the specifications for the demolition and is generally pretty thorough. Hoeppner Construction will primarily be tearing down walls, drop ceilings and such, and undertaking the removal of large items.

On a motion by Mr. Hill, second by Mr. Hines, Resolution 92-33 was unanimously approved.

Resolution 92-34

Resolution approving average reuse appraisal for the Civic Center Urban Renewal Area, Amendment VII

Mr. Fletcher gave a presentation outlining the acquisition areas located on the northwest and northeast corners of Calhoun and Wayne Streets that Redevelopment will be responsible for. After acquiring the real estate, relocating the affected businesses, and clearing and preparing the site for development, the property will be put up for sale in a public offering. The Commission has obtained two (2) independent re-use appraisals of the property. The services for the two (2) appraisals were provided by Larry Misner and Ron Gettel. One appraisal was \$60,000.00 and the other appraisal was \$62,000.00. The average of the two appraisals and the offering price will therefore be \$61,000.00. That would be the minimum bid that anyone could bid on the property. Anyone can bid over that amount, but not under. The parking garage is not financially feasible. The appraisals reflect this fact, resulting in a very low reported value.

Mr. Fletcher noted that there will be certain restrictions on the disposition of the real estate. Parcel #1. Whomever bids on it will need to build a parking garage on the northwest corner, with commercial space on at least Calhoun Street. Murphy and Associates has agreed to build a 345-space 5-story parking garage. As it is right now, Murphy and Associates will be potentially putting commercial on the Wayne Street side, as well as Calhoun Street. These are the primary limitations on the real estate. Plans have been scaled back from the original agreement, which called for a 450-space, 7-story structure. They must also develop the G.C. Murphy Building, the precise cost has not been determined, but it must be Class A commercial space. The Redevelopment Commission has agreed to put \$2 Million Dollars into the project. At one point we were contemplating a skybridge from the G.C. Murphy Building. to the parking garage. Mr. Fletcher stated that he would prefer to do something other than a skybridge. Mr. Fletcher believes that putting in a skybridge may benefit private interests too much, and would therefore prefer to undertake other public improvements. At some point, we may reconsider the skybridge. Right now we need to wait and see what everything is going to cost.

Mr. Fletcher stated that with proceeds from the bond issue, he proposes taking care of all the public improvements around the project, such as the sidewalks, curbs, and streetscape.

Also, Mr. Fletcher suggested having the alley ways repaved at an estimated cost of \$85,000.00, making them more accessible to pedestrian traffic. As an example, Mr. Fletcher pointed out the difference at Midtowne Crossing, since the alley ways have been repaved and made more attractive to pedestrians. Mr. Hill asked if the curb extensions along Calhoun Street were going to stay. Mr.

Fletcher stated that it is not in the plan right now to take them out. He mentioned that he has been in contact with PTC, and they are not totally opposed to taking out the bus huts. Mr. Fletcher is also looking at doing some public improvements on Harrison Street south of the Metro Building. There are tree planters with brick that need to be replaced along with the sidewalks, estimated at approximately \$25,000.00. Wayne Street paving improvements would be approximately \$20,000.00 per block.

On a motion by Mr. Hill, second by Mr. Hines, the Commission unanimously approved Resolution 92-34 subject to receipt of final approval reports acceptable to staff and legal counsel.

Mr. Simler suggested that staff prepare a resolution approving the suggested additional public improvements. After a brief discussion, the Commission, staff, and legal counsel agreed that these additional improvements should be made, and should be supported by a Resolution estimating the dollar amounts for each project.

Discussion of News Release Regarding Indiana National Bank

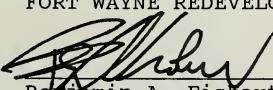
Mr. Fletcher noted to the Commission that a news release announced the acquisition of Indiana National Bank by National Bank of Detroit. Mr. Fletcher asked Bob Hoover, the attorney representing Murphy and Associates to address the Commission as to what kind of impact NBD's purchase of INB would have on the project, if any. Mr. Fletcher was first aware of the negotiations two months ago, and immediately contacted George Huber of Murphy and Associates to discuss any change in the project plans. Mr. Huber informed Mr. Fletcher that they have a solid contract with Indiana National Bank N.E., and this acquisition would not affect the proposed project. The Commission also has an agreement with Murphy and Associates that has no contingencies as it relates to Indiana National Bank being acquired by another bank.

Bob Hoover informed the Commission that he does not have much more information than has already been provided to the Commission. Mr. Hoover stated that the developer had no knowledge of this transaction. The developer received the information a few hours prior to the announcement. The Indiana National Bank parent corporation has agreed to merge with National Bank of Detroit, and should the merger go through, NBD will have net assets of roughly \$40 billion dollars. The developer is aware of the binding obligation to the Commission, and INB Center N.E. is fully aware of their binding obligation to the developer.

Mr. Simler asked Mr. Hoover to relay to Mr. Huber to impress upon INB, understanding INB's position, the importance of this merger project and to the City of Fort Wayne, because of concern about the continued development of downtown and the bond issue that is now in place. Dave Boyer noted to the Commission that at this point, there is really not much the Commission can do.

With no further business to discuss, Mr. Simler made a motion to adjourn the March 18, 1992 Commission meeting, the motion was second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: April 7, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING MINUTES
APRIL 6, 1992

TIME: 4:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart

MEMBERS ABSENT: George F. Simler, III, R. Steven Hill,
Glynn A. Hines

STAFF PRESENT: Ronald R. Fletcher, Kim James

COUNSEL PRESENT: R. David Boyer

OTHERS PRESENT: George Huber, Bob Hoover and Brian Meeks

CALL TO ORDER

Mr. Eisbart called to order this special meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Eisbart noted that since a quorum was needed in order to proceed with the meeting, it was agreed by staff and Commission Member Eisbart to recess the April 6th meeting until April 7th at 5:00 p.m. in Room 106.

Before recessing the April 6th Commission meeting, Mr. Eisbart accepted a bid from City Center Associates, L.P., and a certified check in the amount of \$3,050.00 which represents 5% of the bid. Mr. Eisbart asked if there were any other bids submitted, and Mr. Fletcher replied there were no other bids.

With no other business to discuss, Mr. Eisbart moved to recess the March 6th Commission meeting.

RESUME MEETING OF APRIL 6, 1992
SPECIAL MEETING MINUTES
APRIL 7, 1992

TIME: 5:00 P.M.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Glynn A. Hines

MEMBERS ABSENT: R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim James

COUNSEL PRESENT: R. David Boyer

OTHERS PRESENT: George Huber, Bob Hoover, Brian Meeks,
Mike Gouloff, Dave Taulbee

CALL TO ORDER

Mr. Simler called to order this meeting of the Fort Wayne Redevelopment Commission.

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ROLL CALL

Mr. Simler noted that Commission Member Steve Hill was not present during this Commission meeting.

APPROVAL OF CLAIMS

Mr. Eisbart made a motion to approve the February 1992 Claims, the motion was second by Mr. Hines.

APPROVAL OF MINUTES

Mr. Hines made a motion to approve the March 9, 1992 regular meeting minutes and March 18, 1992 special meeting minutes, second by Mr. Eisbart.

NEW BUSINESS

Bid Opening Civic Center Amendment VII - Public Offering

Mr. Fletcher noted to the Commission that on March 6th, Commission Member Ben Eisbart accepted and opened the one and only bid from City Center Associates. City Center Associates made a minimum bid of \$61,000.00, and submitted a check for 5% of the bid.

Presentation by George Huber and Dave Taulbee

George Huber presented to the Commission a model of the proposed NBD Center and parking garage. Mr. Huber then introduced Mr. Dave Taulbee who designed the project. Mr. Huber pointed out the future retail space, office space, and surface parking within the project site. Mr. Fletcher asked if they were going to construct the store fronts as designed. Mr. Huber responded that if they can lease it would be built. Mr. Fletcher pointed out that the Commission would like the developer to build the store fronts as soon as possible.

Resolution 92-35

Selecting a developer for the Civic Center Urban Renewal Area, Amendment VII Project

Mr. Fletcher noted that staff publicly advertised the sale of the property located within the Civic Center Urban Renewal Area Amendment VII. In response to the Notice of Sale of Real Estate, the only bid submitted was by City Center Associates, which was determined by staff to be the highest and best proposal for the real estate being offered for sale. City Center Associates offered the minimum bid of \$61,000.00 to develop the property.

Staff recommends accepting the bid from City Center Associates subject to restrictions and requirements set forth in the Notice of Sale of Real Estate and the disposition documents.

On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-35 was unanimously approved.

Resolution 92-36

Approving construction drawings for the Civic Center Urban Renewal Area, Amendment VII Project

Mr. Fletcher noted to the Commission that he wanted to take the opportunity to explain how staff handles site plans for construction. Mr. Fletcher went on to say that usually a general approval is appropriate in regards to site plans. When a development agreement is entered into, we approve the plans and then before issuing a Certificate of Completion check to make sure that the structure was built according to site plans.

On a motion by Mr. Hines, second by Mr. Eisbart, Resolution 92-36 was unanimously approved.

Resolution 92-37

Approving public improvements in or serving Amendment VII to the Civic Center Urban Renewal Area

Mr. Eisbart moved to approve Resolution 92-37, second by Mr. Hines, the motion was unanimously approved.

Election of Officers

Mr. Simler asked the Commission if they desired to postpone the election of officers again, or prefer to elect officers with a quorum of three Commission Members. Mr. Hines requested to go forward with the election of officers. Mr. also Eisbart suggested going forward with the election of officers. Mr. Simler asked the Commission for nominations. Mr. Hines nominated Ben Eisbart as President, Mr. Eisbart nominated Glynn Hines as Vice-President, and George Simler as Secretary. With no other nominations the nominees were approved by acclamation. Mr. Simler announced the positions as follows:

Ben Eisbart, President
Glynn Hines, Vice-President
George Simler, Secretary

Resolution 92-38

The selection of a surveyor to complete surveying work at Summit Industrial Park and the purchase of title insurance pursuant to the sale of real estate at Summit Industrial Park

Mr. Fletcher stated that according to the contract between the Redevelopment Commission and Neff Engineering, the Commission agreed to provide a survey of the parcel to be acquired and a policy of title insurance showing marketable title to the seller. Staff has solicited bids for the required survey and title insurance work as follows:

Anderson Surveying	\$ 325.00
Coil Dickmeyer	\$ 340.00
Three Rivers Title Insurance	\$ 110.00
Dreibelbiss Title Company	\$ 231.00
First Land Title Company	\$ 326.60
Columbia Land Title	\$ 531.00

Staff recommends the acceptance of the lowest and best bid: Anderson Surveying to perform surveying work at an amount not to exceed \$325.00 and Three Rivers Title Insurance Company for the issuance of a policy of title insurance at an amount not to exceed \$110.00.

On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-38 was unanimously approved.

Resolution 92-39

Extending the contract for the real estate listing of Summit Industrial Park

Mr. Fletcher stated that Sturges, Griffin, Trent & Associates was retained by the Commission to handle the real estate listing for Summit Industrial Park. Sturges, Griffin, Trent & Associates have obtained a buyer for Lot 16, which was the only remaining lot to be sold at Summit Park. The listing has expired, and staff is requesting a new listing as of January 1, 1992 and continue for a period of six months.

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On a motion by Mr. Eisbart, second by Mr. Hines, Resolution 92-39 was unanimously approved.

OTHER BUSINESS

Resolution 92-40

Accepting the proposal for Professional Financial Services

Mr. Fletcher explained that a Request For Proposal was sent to prospective financial consultants pertaining to the Illinois/Getz Road (Meijer) Economic Development Area. Staff has received responses from Evensen Dodge and Summers & Company. The Commission has currently employed the services of Barnes & Thornburg as bond Counsel for this project. In consultation with Bond Counsel and Summers & Company, Staff believes that a total financial analysis is not needed for this bond issue, Meijers Company will be buying the entire bond issue, They will be doing their own in-house financial feasibility study. In order to save money, staff has asked Summers & Company and Evensen Dodge to provide a quote for a scope of services, less the Official Statement, and the Legal Opinion. Summers & Company submitted a proposal of \$7,500.00 and Evensen Dodge submitted a proposal of \$12,500.00. Staff recommends the services of Summers & Company with the lowest and best bid of \$7,500.00 plus out-of-pocket expenses.

On a motion by Mr. Hines, second by Mr. Eisbart, Resolution 92-40 was unanimously approved.

Midtowne Crossing - Jefferson House

Mr. Fletcher commented that he has solicited for bids for some preliminary construction designs and site plans for the renovation of the Jefferson House Facade. The Commission currently owns the property located next to Midtowne Crossing. The building's facade is outdated and in poor repair, and is not in keeping with the appearance of other projects in the area. Mr. Fletcher plans to have more information on the renovation, and plans to further discuss this issue at the next scheduled Commission meeting. Mr. Eisbart was curious as to whether or not there has been any interest expressed in the Jefferson House. Mr. Fletcher replied that Steve Wesner of Goldstine, Inc., currently holding the exclusive listing for the Jefferson House. Mr. Fletcher went on to say that there has been some interest in the building, but nothing has transpired to date. Mr. Fletcher feels that if the Jefferson House does not sell soon, then the Commission should seriously consider doing some renovation. Mr. Fletcher also noted that because of the building's historic designation, there are limits to the amount and type of renovation that can be done to it.

Development Agreement with Civic City Associates

Mr. Fletcher passed out a draft copy of a development agreement, and asked the Commission to review it. Mr. Boyer noted that there are still a few areas that need to be addressed.

Mr. Fletcher suggested canceling the regular monthly meeting scheduled for April 13th. Mr. Fletcher believes that it will allow staff time to finalize the development agreement with City Center Associates, and also prepare additional documentation to be presented to the Commission.

Mr. Fletcher noted that staff and Counsel closed on (7) seven properties April 6th, and expect to close (2) two more on April 7th, which will leave only one left which is expected to be closed within a week.

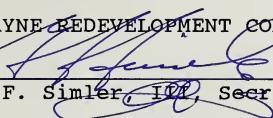
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Newspaper Article RE: "Tom Irmscher"

Mr. Fletcher stated that Tom Irmscher has hired Goldstine, Inc. to pre-lease the first floor commercial space. Mr. Eisbart wanted to know the Commission's commitment to the project. Mr. Fletcher mentioned that Mr. Irmscher was asked to attend the Commission meeting, but due to illness was unable to do so. Mr. Fletcher went on to say that he will talk to Tom Irmscher about coming to the next scheduled Commission meeting to discuss with the Commission an extension of the development agreement for the Harrison Street Parking Garage Project.

With no other business to discuss, Mr. Simler moved to adjourn the April 7th Commission meeting, second by Mr. Eisbart.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, ^{IRP} Secretary

ADOPTED: May 18, 1992



FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING MINUTES
MAY 18, 1992

TIME: 5:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, Glynn A. Hines,
George F. Simler, III, Doug Morris

MEMBERS ABSENT: R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Tom Irmscher, Irmscher & Sons, Inc.

CALL TO ORDER

Mr. Eisbart called to order this regular meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Kim James called the roll, noting that Commission Member Steve Hill was absent during this meeting.

The Commission Members welcomed Mr. Doug Morris to the Commission. Mr. Morris is an Architect with Parkview Memorial Hospital, replacing Commission Member Emily S. Kass.

APPROVAL OF CLAIMS

Mr. Eisbart made a motion to approve the March and April 1992 claims, second by Mr. Simler.

APPROVAL OF MINUTES

Mr. Simler made a motion to approve the April 6th and April 7th Commission meeting minutes, noting that the date on the minutes should reflect April 6th and 7th, and not March 6th and 7th. The motion was second by Mr. Hines.

OLD BUSINESS

Mr. Fletcher noted that there was no old business to discuss at this time.

NEW BUSINESS

Tom Irmscher - Harrison Garage Associates, L.P.

Before introducing Mr. Irmscher to the Commission, Mr. Fletcher noted to the Commission that an agreement was executed between Harrison Garage Associates L.P., an Indiana Limited Partnership and the Redevelopment Commission on March 23, 1989. The Commission agreed to sell to the Harrison Garage Associates the lot located west of the Merrill Lynch Building for \$125,000. In return, the partnership agreed to develop the parcel into a 400 space parking garage. The development would be completed approximately 1 year after the agreement was signed. To date, the Harrison Garage Associates are in default of the Development Agreement because the parking garage has not been constructed.

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Mr. Fletcher noted that he felt that it was best that Mr. Irmscher address the Commission since the Harrison Garage Associates, is in default of the agreement. Mr. Irmscher stated that because of the down turn of the economy he was unable to finance the parking garage. He is now trying again to put the financing together. He has hired Goldstine, Inc., to prelease the first floor commercial. Mr. Irmscher asked for an extension of his contract. After a brief discussion as to the length of the extension, the Commission agreed to extend Mr. Irmscher's development agreement until April 30, 1993. Mr. Irmscher was then asked to return in the future to inform the Commission of his progress with regards to the development of the parcel, or of any potential prospects that may have an interest in the property.

On a motion by Mr. Simler, second by Mr. Hines, the Commission unanimously agreed to extend Mr. Irmscher's development agreement until April 30, 1993.

Resolution 92-41

Approving a contract for Sale and Development of Real Estate with City Center Associates, L.P., an Indiana Limited Partnership

Mr. Fletcher explained to the Commission that the first agreement delineated several areas in which the Commission agreed to participate in the Civic Center Urban Renewal Project, Amendment VII. The Commission agreed to create an Urban Renewal Area, acquire the real estate for the project, and relocate the tenants and owners. The developer agreed to construct a parking garage and develop the G.C. Murphy Building. This definitive agreement will better clarify the responsibilities of both the Commission and the developer.

Dave Boyer explained to the Commission that one of the major changes in Section 1, Article 1, is the name change of the developer. This agreement will no longer be with Murphy & Associates, but with City Center Associates, L.P., which is a limited partnership of which Murphy & Associates is the general partner. The original agreement gave the developer the option to contract under another name as long as they remained the general partner. The scope of the project has been refined. Mr. Boyer then reviewed each section of the agreement as follows:

Section 1, Article 3, there will be approximately 345 parking spaces in the parking garage with first floor retail space on Calhoun Street and possibly along the Wayne Street side of the parking garage. The G.C. Murphy Building will be developed into Class A office space to include certain commercial or retail space.

Section 1, Article 4, a August 1, 1992 date for closing has been put in the agreement, transferring the property from the Redevelopment Commission to the developer. This was the date selected by staff, in conjunction with getting the demolition completed and the site prepared for transfer.

Section 5, Article 1, some flexibility has been added to allow all real estate transactions to take place before transferring the property. A deadline of October 1, 1992, is set by which time all transfers must take place or the developer has the option to assert that the Commission has not performed in accordance with the agreement.

Section 4, Article 1, has been defined more specifically as to air rights which will permit the developer to construct and permanently maintain a pedestrian skybridge across Calhoun Street. This skybridge will provide for pedestrian access from the parking garage to the main office building. It also allows the developer to construct and permanently maintain a pedestrian skybridge from the

parking garage across adjacent alleys to permit access to the Commerce Building.

Section 5, Article 1, this portion provides for a limited vacation of subterranean rights sufficient for buyer to construct and

permanently maintain improved office space in the basement of the office building under the portion of the adjacent Wayne street sidewalk.

Section 8, Article 1, defines the main obligations of the Commission. The contribution made by the Commission is stated in the agreement as Two Million Sixty-One Thousand Dollars (\$2,061,000.00) which includes the bid price of the real estate.

Section 8, Article 2, is a reference to Resolution 92-37 describing some general off-site work that will be performed in the area of the development. This work is not part of the \$2,061,000.00 contribution by the Commission.

With no further discussion by the Commission, staff, or legal counsel, Mr. Hines made a motion to approve Resolution 92-41, second by Mr. Simler. Resolution 92-41 was unanimously approved.

Resolution 92-42

Approving a Definitive Agreement with Summit Bank

Mr. Fletcher reminded the Commission that a letter of understanding between Summit Bank and the Redevelopment Commission was developed in November of 1991. Mr. Fletcher stated that since then staff and legal counsel has been in the process of negotiating a definitive agreement with Summit Bank. Mr. Fletcher noted that there have only been a few changes since the original agreement.

Mr. Wernet reviewed the changes to the letter of understanding as follows:

Item #2, the Vogue Building has never been a part of the Midtowne Crossing Project. As such, the language has been clarified to that effect in the agreement.

Item #8, there is some language concerning various litigation against the former developer that has either been clarified or left out.

Item #8-f, regarding warranty claims against contractors. It was not yet fully determined after the completion of the necessary warranty work as to who would be entitled to proceeds of warranty claims.

Item #9, monthly expenses associated with the maintenance and operation of the Midtowne Crossing project.

Item #10, The bank will take over the marketing, leasing, sale and management of the project, with the exception of the Vogue Building and the parking garage which will remain under the Commission's control.

Item #11, clarifies the language regarding the transfer of title to the commercial condominium units which the Commission currently owns commercial leases, and will be assigned to the bank or bank's designee upon approval by the Commission.

Item #12, the bank will provide the Commission with a quarterly report on the sale and lease transactions together with a statement of the balance due on the developer's loan.

Item #13, clarifies to those individuals who have been provided with parking spaces in the parking garage that the parking garage will remain the property of the Commission. Under the tax rules, the Commission must remain the garage owner.

Item #14, the Commission will assist in managing the project during a transitional period.

Item #15, discusses how the bank shall be reimbursed from all remaining proceeds from sales or leases. The bank shall assign its remaining mortgages and/or ownership in any part of the project to the Commission at such time as the bank's recovery is paid in full at an amount of \$4,226,129.00.

On a motion by Mr. Simler, second by Morris, Resolution 92-42 was unanimously approved.

Resolution 92-43

Approving the expenditure of funds to repair brick pavers in the alley bisecting the Midtowne Crossing Project

Mr. Fletcher explained to the Commission that a portion of the brick paving stones adjacent to the Lebamoff Building is in need of repair. During the time the pavers were placed, the contractors used bentonite underneath the pavers which swells when any undue pressure is put on the area, such as a vehicle. Staff noted to the Commission that the Midtowne Crossing Associates does not have the funds to pay for such repairs. Staff recommends the services of F & M Tile Terrazzo for an amount not to exceed \$550.00.

On a motion by Mr. Simler, second by Mr. Hines, Resolution 92-43 was unanimously approved.

Resolution 92-44

Approving payment to Ronald Lunz Trucking and Excavating

With no discussion from the Commission, Mr. Simler made a motion to approve, the motion was second by Mr. Hines. Resolution 92-44 was unanimously approved.

Mr. Simler asked Commission Members if it was necessary for the Commission to approve Resolutions with a minimal amount of money involved. The Commission discussed a variety of ways such claims could be handled by staff as opposed to bringing it to the Commission. After a brief discussion, Mr. Simler made a motion that a Resolution be prepared by staff stating that any claims under \$500.00 will be reviewed by the Executive Director and approved. Mr. Morris second the motion, and the Commission unanimously agreed.

Resolution 92-45

Approving a contract with Siebold-Price Tree & Landscaping Company

After briefly reviewing the content of this claim, Mr. Simler made a motion to approve Resolution 92-45, second by Mr. Hines, and the Resolution was unanimously approved.

Resolution 92-46

Approving a change order to the Hoeppner Construction Contract

At a previous meeting the Commission approved Resolution 92-33 awarding the contract for interior demolition of the Baker Street Train Station to Hoeppner Construction Corporation. Mr. Kravig stated that he believes by removing the non-asbestos floor tile that covers a terrazzo floor, the marketability of the station will be enhanced. Hoeppner Construction has submitted with his

original bid a unit price schedule for the removal of non-asbestos floor covering, and in accordance with the unit price schedule proposes to do the work for an additional \$400.00.

On a motion by Mr. Simler, second by Mr. Hines, Resolution 92-46 was unanimously approved.

Resolution 92-47
Awarding a contract to Mergy Construction, Inc.

Mr. Fletcher stated that it is his understanding that during the time the Merrill Lynch building was being constructed, there was a verbal agreement between the developer and the City that the City would pave the alley, connecting Harrison and Calhoun Street. The alley carries a lot of pedestrian traffic to Columbia Street, (The Landing). The alley is located within the boundaries of the West Main Street Urban Renewal Area. The Board of Public Works has prepared details, drawings, and specifications, and has entered into a public bidding process for the improvements to this alley. The bids received were as follows:

Mergy Construction, Inc.	\$ 19,270.63
Weikel Line Company, Inc.	\$ 20,556.00
Newell Construction Co., Inc.	\$ 21,812.00
Brooks Construction Company, Inc.	\$ 23,264.30
Dehner Construction, Inc.	\$ 23,456.50

The Street Engineering Department and the Contract Compliance Department recommend that the contract be awarded to Mergy Construction, Inc.

On a motion by Mr. Hines, second by Mr. Simler, Resolution 92-47 was unanimously approved.

Resolution 92-48
Awarding contract for architectural services to Morrison, Kattman, Menze, Inc.

Mr. Fletcher informed the Commission that the Vogue Building, commonly known as the Jefferson House is still owned by the Redevelopment Commission. Mr. Fletcher went on to say that at a previous commission meeting, it was agreed that the renovation of the Jefferson House facade should take place in order to better market the property. It will be necessary to engage the services of an architect to design the project, prepare construction documents, and to supervise bidding and construction. Staff received five responses to its solicitation for bids.

Morrison, Kattman, Menze, Inc.	\$ 2,000.00
Patrick Architects	\$ 4,687.50
Cole Matott Architects	\$ 5,500.00-\$8,000.00
Gibson, Tourney, Kim, Inc.	\$ 5,966.00
Grinsfelder Associates Architects	\$ 7,000.00

After carefully reviewing each of the bids, staff recommends the services of Morrison, Kattman, Menze, Inc., with the lowest and best bid of \$2,000.00. Staff has been in contact with Morrison, Kattman, Menze, Inc., to make sure they understood the bid packet, considering their bid was substantially lower than the other bidders. Commission Member Doug Morris stated that he believes this company is a reputable architect firm, and has no question of the capability of this firm to perform the work.

Mr. Hines made a motion to approve Resolution 92-48, the motion was second by Mr. Morris. Resolution 92-48 was unanimously approved.

Resolution 92-49

Approving relocation expenses for Red Dog Cafe and Dad's

Resolution 92-50

Approving relocation allowance for Barber's, Central Wig, Subway,
Red Dog Cafe and Dad's

Commission Member Ben Eisbart suggest that Resolutions 92-49 and Resolutions 92-50 be discussed together.

Mr. Fletcher noted to the Commission that all of the relocation agreements are basically the same. The only difference is the dollar amounts. Commission Member Eisbart suggested to staff that he go through the procedure as to how each of the dollar amounts was determined.

Staff distributed to the Commission a copy of the relocation agreement and a breakdown of the dollar amount owed to each of the tenants and owners involved. Mr. Fletcher stated that the Commission follows state statute, in regards to determining amounts due for relocation. The relocation regulations were approved by the Commission and were used as a basis to guide us through the process. The Appraiser, S.M. Dix, went through each of the buildings and appraised all of the immovable fixtures. He also added in any type of fixtures that were in the buildings that could be classified as an immovable fixture. Above that, the tenants involved were entitled to moving costs plus re-establishing expenses. There may be a need for sewer lines, electrical, etc., in order to put them back in business. They are also entitled to advertising. If there is a situation that their rent is higher than what they were originally paying before the relocation, they are entitled up to \$2,500.00 for two year's rent subsidy; utilities can also be included in the rent subsidy. Staff has met with each of the tenants and has gone over the Relocation Agreement in detail. The fixed fixture appraisal was discussed with each tenant and what it meant to each of the them. With respect to a restaurant, if there is a wall that separates the kitchen from the eating area, the wall can be included in the relocation cost. If there are special code requirements that are needed for a restaurant, that can also be included. Each one of the tenants have different needs, and each one of the tenants were handled in accordance with their particular needs.

Mr. Eisbart asked if the Commission passes these two (2) resolutions, would the amount of \$71,894.16 represent the settlement of all of the tenants that are being relocated. Mr. Fletcher replied that this figure represents all with the exception of Jeremy's Hot Dogs, and First Land Title Company. Those two establishments have not submitted their final costs as of yet.

Mr. Simler asked if the dollar amount for any periods of shut down was also include in the above stated figure. Mr. Fletcher stated that those figures are included. The claim process has been started and staff is prepared to pay each of the tenants being relocated once all figures are in and all documentation has been signed.

With no further discussion, Mr. Morris made a motion to approve Resolutions 92-49 and Resolutions 92-50, second by Mr. Hines, the Resolutions were approved unanimously.

Resolution 92-51

Approving a change order to the R.L. Kelley Contract

At a previous meeting, the Commission awarded the contract for roof replacement at the Baker Street Station to R.L. Kelley Company, Inc. The Architect has recommended to staff that a fascia board

clad in Kynar pre-finished metal be used as opposed to painted wood, as originally called for in the contract. The Architect recommends the change as a means to prolong the life of the fascia board and to reduce maintenance. R. L. Kelley has submitted a price of \$3,990.00 for labor and materials to do the work, which price includes a credit for the priming and painting of the fascia. Staff has determined that the contractor's price for the work is reasonable, and recommends the approval of the change order.

On a motion by Commission Member Morris, second by Commission Member Simler, Resolution 92-51 was unanimously approved.

Indiana Department of Transportation (IDOT) Federal-Aid Program

Mr. Fletcher stated that there is approximately \$3 Million available for cities and towns in the state of Indiana through the IDOT. The objective of this program is to enhance transportation. Part of the federal program state that one can take a former transportation facility and renovate it as a historical building. A study was conducted in 1987 to make the Baker Street Station a multi-model transportation facility, but was found that the project was infeasible, mainly because most of the transportation companies did not want to pay the necessary per square feet lease amount to make the project feasible. The City has made application to IDOT for renovation of the Baker Street Station in the amount of \$1.4 Million. PTC and Lincoln National Corporation were contacted to determine their interest in participating in the project. We received encouraging responses. The project would potentially incorporate the Mark Twain Train Museum, Lincoln Museum, possibly a PTC transfer point, a taxi company, and a horse and carriage company.

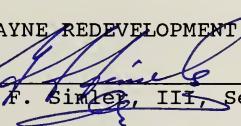
Mr. Fletcher went on to say that an application was prepared in order to be considered for the grant. Mr. Fletcher believes that the Commission should hear something within thirty days. Mr. Fletcher reminded the Commission that staff has started the process for an RFP for a developer for the train station. Loren Kravig noted to the Commission that he will be contacting each of the packet holders to get an idea of where they are at in terms of responding to the RFP. He also mentioned that one of the packet holders is a developer located in South Bend. Ron and Loren will be traveling to South Bend to take a look at their station.

Mr. Fletcher stated that he is considering creating a new urban renewal area or amending an existing urban renewal area to incorporate the Baker Street Station within the boundaries. Mr. Fletcher informed the Commission that he may potentially have a Declaratory Resolution prepared for the next meeting.

Mr. Fletcher stated that he is contemplating Science Central (the former City Power Plant) as a possible Redevelopment project by forming a new urban renewal area, or by amending the East Main Street Urban Renewal Area so as to incorporate the Science Central Project with the amended boundaries. Mr. Fletcher is also working on funding for the Headwaters Park project which is approximately \$100,000.00.

With no further business to discuss, Mr. Eisbart made a motion to adjourn the May 18, 1992 Commission meeting, second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: June 15, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
JUNE 15, 1992

TIME: 5:00 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, Glynn A. Hines,
R. Steven Hill, Douglas M. Morris

MEMBERS ABSENT: George F. Simler, III

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Tom Farney, Grinsfelder Associates, Inc.

CALL TO ORDER

Mr. Eisbart called to order this Executive Session of the Fort Wayne Redevelopment Commission.

Discussion of strategy reference to pending litigation 5-14-1.5-6
(2) (B)

With no other business to discuss the Fort Wayne Redevelopment Commission adjourned its Executive Session.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary
ADOPTED: _____

July 20, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
JUNE 15, 1992

TIME: 5:45 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, Glynn A. Hines,
R. Steven Hill, Douglas M. Morris

MEMBERS ABSENT: George F. Simler, III

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Eisbart called to order this regular monthly meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Eisbart noted that Commission Member George Simler was not present during this meeting.

APPROVAL OF MINUTES

Mr. Hines made a motion to approve the May 18, 1992 Minutes, the motion was second by Mr. Morris.

APPROVAL OF CLAIMS

Mr. Hill made a motion to approve the May 1992 Claims, the motion was second by Mr. Hines.

OLD BUSINESS

Mr. Fletcher noted that there was no old business to discuss at this meeting.

NEW BUSINESS

Resolution 92-52

Approving an agreement with the Board of Public Works

Mr. Fletcher stated that at a previous Commission meeting the storm water drainage problem along Calhoun Street was discussed. This problem is affecting most of the businesses located in the area (including Ivan Lebamoff). Mr. Fletcher stated that this problem has been discussed with Indiana Michigan Power Company, and they agreed to financially participate in the storm water drainage improvements, however, the exact dollar amount has not yet been finalized. There are other companies in the area that may also be willing to participate. Staff has discussed this problem with staff of the Board of Works and Safety. Their position is such that public funding is not available at this time for these improvements. Staff feels that this work is not the responsibility of the Redevelopment Commission, but that the problem does need to be resolved. Staff recommends that the Redevelopment Commission assist on the drainage problem with the condition that the Board of Public Works reimburse the Commission 50% of the balance of the project's cost as soon as funds are available. Mr. Fletcher estimates the total project cost being \$100,000.00. Mr. Fletcher will be speaking before the Board of Public Works to present the Commission's proposal.

On a motion by Mr. Hill second by Mr. Morris Resolution 92-52 was unanimously approved by the Commission.

Resolution 92-53

Approving a Relocation Agreement with Dale Taylor and Sao Fun Yip

Mr. Fletcher explained to the Commission that Dale Taylor and Sao Fun Yip have been compensated in full for their relocation expenses. Mr. Taylor was paid \$3,379.95 and Sao Fun Yip will be paid \$15,593.25. Mr. Fletcher noted to the Commission that the re-establishment expense of Sao Fun Yip exceeded the established maximum by approximately \$2,000.00 because a fryer and exhaust system was needed in order to put her back in business.

On a motion by Mr. Hines, second by Mr. Hill, Resolution 92-53 was unanimously approved.

Resolution 92-54

Approving giving the Executive Director authority to approve contracts, expenditures and disbursements up to and including \$500.00 without Board approval

At a previous meeting the Commission instructed staff to prepare a resolution authorizing the Executive Director to approve contracts and expenditures and disburse funds in an amount up to and including \$500.00 without bringing the matter before the Commission. The Commission felt this would save Commission resources and time. All expenditures will still be part of the annual audit by the State Board of Accounts and will also be reported to the Commission for its information.

On a motion by Mr. Hines, second by Mr. Morris, Resolution 92-54 was unanimously approved.

Resolution 92-55

Approving an extension of the Exclusive Listing Agreement with Roth & Wehrly Realtors

Jim Lindsay reported to the Commission that to date (10) non-historic residential condominiums have been sold, and all of the historic condominiums are sold and closed with the exception of (1). Mr. Fletcher stated that he believes Roth & Wehrly has done a good job selling and leasing the condominiums, and finds no reason not to continue their services. Staff recommends extending Roth & Wehrly's Exclusive Listing Agreement until August 31, 1992. Future extensions of the listing agreement will be made by the Executive Director after consultation with Commission's legal counsel.

On a motion by Morris, second by Mr. Hines, Resolution 92-55 was unanimously approved.

Resolution 92-56

Extending the time for the development and construction of a parking garage at the intersection of Harrison and Main Street

Mr. Fletcher noted that this Resolution represents the formal extension of Harrison Garage Associate's Development Agreement with the Redevelopment Commission until April 30, 1993. This extension was approved at the May 18th meeting.

On a motion by Mr. Hines, second by Mr. Hill, Resolution 92-56 was unanimously approved.

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June 15, 1992
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Resolution 92-57

Approving a change order to the R.L. Kelley contract

R.L. Kelley has been contracted by the Commission to replace the roof on the Baker Street Train Station to protect from water damage and to enhance its marketability. The contractor has found it necessary to replace 368 square feet of damaged and dryrotted wood decking at \$2.20 per square foot. The contractor has also found it necessary to alter the eave detail at the south elevation of the west wing roof. The total amount due for services is approximately \$1,028.00. Staff believes the price for the work is reasonable, and recommends the approval of the change order.

On a motion by Mr. Morris, second by Mr. Hines, Resolution 92-57 was unanimously approved.

Resolution 92-58

Awarding a contract - Relocating Calhoun St. fixtures

Mr. Fletcher explained to the Commission that staff has solicited (5) five bids for the removal of the bus shelters, kiosks, and banners along the Calhoun Street Transit Mall. Mr. Fletcher went on to say that because a design for the banner and kiosks spaces has not yet been formulated, he recommends proceeding only with the bus hut removal and concrete restoration at this time. The concrete restoration will be of a finished quality to blend in with the sidewalks and brick paving.

Strebig Construction Inc.	\$ 15,626.68
CME Corporation	\$ 16,372.00
Harold McComb & Son, Inc.	\$ 13,066.64

On a motion by Mr. Hill, second by Mr. Hines, Resolution 92-58 was unanimously approved.

Resolution 92-59

Approving an amendment to the Grinsfelder Associates Architects, Inc., contract

Staff prepared bid packets and has published an advertisement and directly solicited the services of seven (7) architects for masonry repair and restoration of the Baker Street Train Station, and has received five (5) valid, and two (2) invalid, responses.

MSKTD & Associates, Inc.	\$ 34,400.00
Cole Matott Architects	\$ 5,800.00
Dennis H.J. Kim, AIA	\$ 5,557.00
Morrison, Kattman, Menze, Inc.,	\$ 5,500.00
Grinsfelder Associates Architects	\$ 4,500.00

The proposal from Gibson, Tourney, Kim, Inc., was not responsive, and the proposal from Patrick Architects was not received by the 5:00 p.m., June 5, 1992 deadline.

Mr. Fletcher informed the Commission that Grinsfelder & Associates has performed satisfactorily on its present contract with the Commission for the Baker Street Station stabilization project. Staff recommends the services of Grinsfelder & Associates with the lowest and best bid of \$4,500.00. Mr. Grinsfelder will be expected to sign an amendment to his present contract with the Redevelopment Commission to reflect the revised scope of work for the complete repair/restoration of all exterior masonry at the Baker Street Train Station.

On a motion by Mr. Hines, second by Mr. Morris, Resolution 92-59 was unanimously approved.

Resolution 92-60
Awarding a contract to Environmental Management Specialists, Inc.

Mr. Fletcher noted to the Commission that asbestos has been discovered in the Jefferson House. Staff has solicited proposals from two asbestos abatement contractors:

Specialty Systems of Indiana, Inc.	\$ 836.00
Environmental management Specialists, Inc.	\$ 480.00

Mr. Fletcher went on to say that a full job site orientation was given to each of the contractors, along with a full written and oral explanation of the scope of work and specifications for the project. Staff has thoroughly reviewed each of the proposals and recommends the services of Environmental management Specialists, Inc., as the lowest and best bidder.

On a motion by Mr. Hill, second by Mr. Hines, Resolution 92-60 was unanimously approved.

Resolution 92-61
Allowing the designation of property as an Economic Revitalization Area for Fasson Roll Division of Avery Dennison Corporation

Fasson Role Division is applying for a tax abatement on the purchase of new equipment for their facility in Centennial Park. A representative of Fasson presented the details of this purchase of equipment to the Commission. Mr. Fletcher reminded the Commission that Centennial Industrial Park is an Urban Renewal area and State law requires that the Redevelopment Commission approve of properties locating within an Urban Renewal Area being designated as Economic Revitalization Areas so that they can continue the application for tax abatement to the City Council.

Mr. Eisbart noted to the Commission that he was very familiar with the Fasson Corporation and recommends the approval of this request.

On a motion by Mr. Hill, second by Mr. Hines, Resolution 92-61 was unanimously approved.

Discuss date and time of next Planning Session

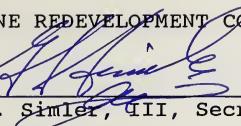
Mr. Eisbart suggested to the Commission that at least 3 hours should be allocated for the next planning session in order to discuss the areas that need to be covered. Mr. Fletcher stated that he would prefer to have the planning session on a regular Commission meeting date. The Commission agreed to schedule a planning session for July 20th, which is the next scheduled Commission meeting. The Commission meeting will begin at 5:00 p.m. and the planning session will follow immediately thereafter. Mr. Fletcher suggested meeting with each of the Commission Members for about an hour prior to the planning session. Mr. Fletcher believes doing this could eliminate a lot of questions about present Commission projects, and allow more time to discuss what the Commission should consider as future projects and activities.

Mr. Doug Morris has only been with the Commission for a short time, and will be leaving the Commission and the City of Fort Wayne. Doug will be taking a position with Methodist Hospital in Indianapolis, and will be relocating his family there. Good Luck Mr. Morris!

With no further business to discuss, Mr. Eisbart made a motion to adjourn the June 15th Commission Meeting, the motion was second by Mr. Hill.

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FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: July 20, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
PLANNING SESSION
JULY 20, 1992

TIME: 5:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, George F. Simler, III,
R. Steven Hill, Mark D. Becker

MEMBERS ABSENT: Glynn A. Hines

STAFF PRESENT: Ronald R. Fletcher and James C. Lindsay

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: John Shoaff, Headwaters Park Commission

CALL TO ORDER

Mr. Eisbart called to order the planning session of the Fort Wayne Redevelopment Commission.

Mr. Eisbart stated that on January 7, 1992, the Fort Wayne Redevelopment Commission conducted their first planning session of the year. The Commission and staff have agreed to schedule two planning sessions each year to discuss projects the Commission may want to consider as future projects, and an update of completed and on-going projects.

Headwaters Park: Headwaters Park Commission has requested a contribution of \$100,000 from the Redevelopment Commission for the acquisition of the Headwaters Park "thumb" area. Mr. Fletcher stated that the Commission has agreed to assist in the project, the Commission is currently waiting for the Headwaters Park Commission to secure their financing, and identify which particular parcels need to be acquired.

John Shoaff of the Headwaters Park Commission presented a hand-out written by Eric Kuhne which explained, in summary, the development of the Headwaters Park. He explained the boundaries of the area. Mr. Shoaff went on to say that the Commission is engaged in a fund raising effort to raise its portion of the funds needed for real estate acquisition. He explained certain features of the park, including landscaping and a planned amphitheatre. The Maumee River Basin Commission has allocated \$200,000 towards the Headwaters Park project but \$400,000 is still needed from the private sector. Mr. Shoaff explained that the flood control aspects of the park allows for the funding from the Maumee River Basin Commission and from the State of Indiana. Discussion followed about including the Claire Street area in the jurisdiction of the Headwaters Park Commission. It was further requested of Mr. Shoaff that he keep the Commission informed of his projects regarding the fund raising for the Headwaters Park Project.

Ron Fletcher introduced the following areas as "concept areas" for discussion.

- A). Development of areas west and east Merrill Lynch Plaza
- B). East Main Street Urban Renewal Area
- C). Old Standard Federal Plaza Building
- D). NIPSCO Building area
- E). Midtowne Crossing area
- F). Surface parking in downtown area
- G). Indiana Hotel Plan
- H). Grand Wayne Center Expansion Study

Planning Session

July 20, 1992

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Steve Hill stated that since the Greyhound Bus Station demolition, it has furthered the opening up of space in the downtown. He feels that this factor, plus covered sidewalks, would aid in eventually getting a retail anchor to return downtown. He also stated that he sees the parking lot at Harrison and Washington Boulevard, as a possible project area.

Steve went on to say that the historic houses near the Haller Colvin Law Offices are in a bad state of repair and that this, too, is a possible project area, as part of the East Main Street Urban Renewal Area.

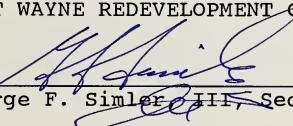
Discussion renewed on approaches to the downtown area. The area to the north of downtown, between the railroad viaduct and Omni Source is viewed as an important approach which is obscured by billboards, brush, and barriers such as the railway over pass.

Steve Hill stated that he sees some of the new developments in the downtown as positive reasons to come downtown, included in this category is the new Summit Plaza at One Summit Square. Additionally, the following areas were discussed as needing attention and possible involvement by the Redevelopment Commission.

- A). Facades on Klinger Block
- B). Enhancement of downtown linkages with Headwaters Park once it comes on line.
- C). River clean-up in areas near downtown.

With no further business to discuss during this planning session Mr. Eisbart made a motion to adjourn, second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: August 17, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
JULY 20, 1992

TIME: 5:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, R. Steven Hill,
George F. Simler, III, Mark D. Becker

MEMBERS ABSENT: Glynn A. Hines

STAFF PRESENT: Ronald R. Fletcher and James C. Lindsay

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Brian Meeks, Murphy & Associates, Inc.
Beth Palmer, Construction Control, Inc.
John Shoaff, Headwaters Park Commission

CALL TO ORDER

Mr. Eisbart called to order this regular monthly meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Eisbart noted that Commission Member Glynn Hines was not present during this meeting. Mr. Eisbart introduced Mark D. Becker who is replacing Doug Morris on the Commission.

APPROVAL OF CLAIMS

Mr. Simler made a motion to approve the June 1992 claims, the motion was second by Mr. Hill.

APPROVAL OF MINUTES

Mr. Hill made a motion to approve the June 15, 1992 regular meeting minutes and executive session meeting minutes, the motion was second by Mr. Becker.

OLD BUSINESS

None

NEW BUSINESS

Resolution 92-62

Approving an expenditure for the Calhoun Street Transit Mall

Mr. Fletcher noted that at a previous meeting, the Commission approved an agreement with Galbreath Company for improvements to the Calhoun Street Transit Mall. The agreement provided for a \$700.00 maximum cost sharing between the Commission and the Galbreath Company. The Galbreath Company has submitted an invoice to the Commission for \$975.40, which represents half the cost of installing plantings along Calhoun Street. After a brief discussion the Commission approved the expenditure of \$700.00 for the plantings.

On a motion by Mr. Simler, second by Mr. Hill, Resolution 92-62 was unanimously approved.

Resolution 92-63

Approving reimbursement to Murphy & Associates for costs associated with the Civic Center Urban Renewal Project Amendment VII

The Commission adopted Resolution 92-41 approving a contract for the Sale and Development of Real Estate with City Center

Associates, L.P. The provisions of Section 8 of the contract obligate the Commission to fund \$2,061,000 towards the Civic Center Urban Renewal Project Amendment VII for real estate acquisition, demolition and site preparedness, along with reimbursement to Murphy & Associates for costs which relate directly to the demolition, site preparedness and acquisition of the real estate included in the project. Murphy & Associates has submitted a request for reimbursement in the amount of \$69,945.00 for work that is eligible for reimbursement. Staff has provided the Commission as part of Resolution 92-63 with Exhibit A and Exhibit B which itemizes each of the expenses. The total amount is \$1,743,725.89 in which staff agrees that this amount should be deducted from its contribution to the project (\$2,061,000.00).

On a motion by Mr. Simler, second by Mr. Hill, Resolution 92-63 was unanimously approved.

Resolution 92-64

Approving a change order to the contract with Harold McComb & Sons, Inc.

Mr. Fletcher explained to the Commission that Harold McComb & Sons, Inc. was awarded the contract to remove the bus huts and finished concrete restoration at the Calhoun Street Transit Mall. Harold McComb & Sons, Inc., has offered to refinish and repair the damaged brick areas adjacent to the bus huts for the amount of \$120.00. Staff is requesting that a change order be made to the present contract with Harold McComb & Son, Inc. After a brief discussion, the Commission approved a change order to the contract with Harold McComb & Son, Inc.

On a motion by Mr. Hill, second by Mr. Becker, Resolution 92-64 was unanimously approved.

Resolution 92-65

Baker Street Urban Renewal Area

Mr. Fletcher stated that internal demolition and asbestos removal has already taken place in the Baker Street train station. The contractor is completing the roof restoration, and the architect is working on the renovating specs as it pertains to the exterior brick on the structure. Mr. Fletcher went on to say that at a previous Commission meeting, it was discussed whether to develop an urban renewal area where the train station is located. The Commission may decide in the future to participate, with a developer in respect to developing the station. In order for the Commission to participate in a project, the project must be within an urban renewal area. All studies, investigations, and surveys have been made in cooperation with the various departments and bodies of the City. Based on the investigation, the property is found to be blighted and deteriorated. Mr. Fletcher stated that an RFP has been prepared and extended until August 17, 1992 pending a response from the state regarding a \$1.4 Million DOT Grant. Mr. Fletcher continued to say that it is important for the Redevelopment Commission to continue establishing an urban renewal area for the purposes of Redevelopment participation. The particular area being discussed only includes what the Commission currently owns shown on the map in the Urban Renewal Plan. The boundaries do extend approximately one lot to the west in a very open area adjacent to Lincoln Life's property. Mr. Fletcher reminded the Commission the process of establishing an urban renewal area and noted that staff will begin preparing documentation for Council, and will notify the proper

neighborhood association, if there is one. With no further questions by the Commission, it was agreed to establish an urban renewal area for the purpose of eliminating blight, stimulating new growth and development, resulting in the reuse of vacant structures.

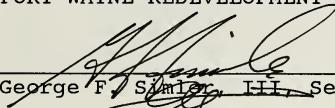
On a motion by Mr. Hill, second by Mr. Becker, Resolution 92-65 was unanimously approved.

Update on Redevelopment Commission vs. Midtowne Crossing Associates

Mr. Boyer noted that this update will be a summary of the public record and will not discuss strategy. Mr. Boyer noted that it was written that the Plaintiff had filed a motion for a Change of Venue from the County and the Judge hearing it denied the motion. The case will go forward in Allen Superior Court. The Attorney for the Commission has filed in a timely fashion an answer on behalf of the Commission and the City which denies the entire portion of the complaint, with the exception that the Midtowne Crossing Associates are who they say they are and the fact that the Redevelopment Commission did in fact enter into an agreement with Midtowne Crossing Associates. Mr. Boyer went on to say that they will argue that they have waived their right to bring this cause of action by their inaction in the previous law suit, also being argued will be that they have not complied with the Indiana Tort Claim Statute, therefore waiving their cause of action. The case is presently at issue and then it will go to a discovery process. Attorney Boyer stated that he does not anticipate any immediate court proceedings at the present time.

With no further business to discuss Mr. Eisbart made a motion to adjourn the regular meeting of the Fort Wayne Redevelopment Commission. The motion was second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: September 21, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
PLANNING SESSION
MINUTES
AUGUST 17, 1992

TIME: 5:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, George F. Simler, III,
Glynn A. Hines, R. Steven Hill

MEMBERS ABSENT: Mark D. Becker

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Eisbart called to order this planning session of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Eisbart noted that Commission Member Mark Becker was not present during this planning session.

Old Standard Federal Building:

Mr. Eisbart mentioned to the Commission and staff that he saw an article in the paper where Ron Fletcher was quoted regarding the old Standard Federal Plaza and the downtown office complex for a combined state government agencies. Mr. Fletcher mentioned that he contacted Mr. Bill Stinson, State of Indiana, to determine the status of the state office consolidation process. Mr. Fletcher stated that the state is looking at several options at this point, possibly the old Sears building and the downtown area. Mr. Fletcher suggested to Mr. Stinson looking at the old Standard Federal building site as a possibility. They will need at least 80,000 square feet, which the Standard Federal building presently does not have. Mr. Fletcher believes that there will be very little activity regarding this potential project until after the state election.

Redevelopment Legislation:

Mr. Fletcher noted that he has asked legal counsel to investigate redevelopment legislation, with respect to the Commission's involvement in the Headwaters Park Project.

Duties:

Mr. Boyer explained to the Commission that the Redevelopment Commission is a statutory body with its duties and powers governed by the statutes. Mr. Boyer went on to say that there are two duties under I.C. 36-7-14-11, which relate to possible proactive positions by the Commission. The third duty, as specified, is to promote the land use in a manner that best serves the interest of the unit and its inhabitants. The fourth duty specified, is to cooperate with the departments and agencies of the unit and of other governmental entities in a manner that best serves the purposes of this chapter.

Powers:

The powers given to the Redevelopment Commission by statute does put some restrictions on land acquisition as it relates to a particular project. Basically, the powers to effect land acquisition refer to land that is being studied as a possible

blighted area, by a Redevelopment Commission. Most of the powers that are given to the Commission refer to creating economic development areas and redevelopment areas are based on the determinations of blight. Mr. Boyer went on to say that there is one Power #20 that refers to letting contracts for construction of local public improvements or structures that are necessary for the redevelopment of blighted areas or economic development within the appropriate cooperate boundaries of the unit. This is a possible loop hole which may allow the Commission to contract outside of the blighted area for the construction of a local improvement. A local improvement is defined in the statute as anything that fulfills the duties and powers of the Commission. But, it does not give the Commission any authority to acquire land there. The Commission's power of eminent domain is specifically limited to blighted areas. Mr. Boyer also noted that the Commission will have to be aware of the threat of inverse-condemnation. There is a general perception that marketing real estate in the "thumb area" of Headwaters Park has effectively stopped because people expect the park to begin acquisitions soon. Because the Headwaters Park Commission does not have the financial capacity, the chances of anyone doing an inverse condemnation against that Commission are slim. The Redevelopment Commission would be a better target for this kind of lawsuit. Mr. Boyer stated that the Headwaters Park Commission does not have the authority to do studies, we have the authority to receive studies and determine that blight does exist. The only real way the Commission can control the development of land is to acquire the land.

Baker Street Train Station Proposals

Loren Kravig stated that the Commission has received 3 proposals regarding the development of the Baker Street Train Station. Mr. Kravig gave a brief summary of each of the proposals submitted.

Andy Graham is a local commercial real estate broker. Mr. Graham is proposing a not-for-profit consortium with his primary anchor tenant being a large antique shop or a group of antique shops, including train hobbyists. The remainder of space on the first floor will be retail and/or restaurant, with the potential of using the west wing second floor for office space. Mr. Graham estimates the cost as approximately \$1.5 Million, including construction costs. Mr. Graham and his associates are proposing to finance the project with fund raising drives and private public contributions.

Mr. & Mrs. Evans w/Scott Pitcher

Mr. & Mrs. Tom Evans are in a partnership with Mr. Scott Pitcher. Mr. & Mrs. Evans are the owners of the American Bus Line Company and Mr. Scott Pitcher is a contractor/developer. The partnership is proposing to install the American Bus Line Company into the station as the anchor tenant and market the rest of the building. American Bus Line Company is currently the only bus line service serving Fort Wayne. The partnership has estimated approximately a \$1.1 Million project cost. Mr. Evans is looking at a mix of equity and debt financing for his proposal.

Spencer Lewis & William Jenkins

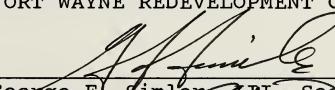
Mr. Lewis and Mr. Jenkins have been trying to recruit equity partners for their project. Mr. Lewis and Mr. Jenkins are hoping to get governmental sources of funding, (i.e. grants, economic development loans, with potential redevelopment funding). Mr. Lewis is proposing a banquet facility, with a potential exhibition center, or possibly accommodating a Lincoln Museum.

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Mr. Lewis is primarily looking at a self sustaining banquet facility if Lincoln has no interest in moving in the train station. Mr. Lewis estimates his construction costs to be approximately \$1 Million and has been working with Alan Grinsfelder, who would be the project architect.

Mr. Fletcher informed the Commission that he would like to form a committee to review each of the proposals, possibly two people from the Commission, and a member from ARCH. Steve Hill was asked to serve on the committee to review the proposal with Commission staff. Mr. Fletcher noted that he still has not heard from the Indiana Department of Transportation regarding the application for a \$1.4 Million grant. Mr. Fletcher explained that if for some reason the three proposals submitted are not favorably considered, the Commission always has the option of securing the station and later beginning the process again. Mr. Eisbart asked staff to update the Commission regarding the proposals at the next scheduled meeting.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, AIA, Secretary

ADOPTED:  September 21, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
AUGUST 17, 1992

TIME: 5:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, George F. Simler, III,
R. Steven Hill, Glynn A. Hines

MEMBERS ABSENT: Mark D. Becker

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Dave Skelly, Jaycees, Inc.

CALL TO ORDER

Mr. Eisbart called to order this regular meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Eisbart noted that Commission Member Mark Becker was not present during this meeting.

BID OPENING

Mr. Fletcher announced that there was only (1) one bid submitted for the restoration/stabilization of the Jefferson House Facade. Harold McComb & Sons, Inc., submitted a base bid of \$38,500.00. Mr. Fletcher stated that because there was only one bid submitted, it would be difficult to do any comparison. Mr. Fletcher went on to say that the bid should be reviewed by staff, legal counsel, and the architect. After the review process, if the bid is determined to be reasonable it can then be awarded to Harold McComb & Son, Inc., as the best bid.

On a motion by Mr. Hill, second by Mr. Simler, the Commission unanimously approved staff's suggestion by having the submitted proposal reviewed by staff, legal counsel, and the architect before awarding the bid.

APPROVAL OF CLAIMS

Mr. Hines made a motion to approve the July 1992 claims, the motion was second by Mr. Simler.

APPROVAL OF MINUTES

Mr. Eisbart made a motion to approve the July 20, 1992 Planning Session Minutes, the motion was second by Mr. Simler.

NEW BUSINESS

Jaycee's, Inc. Presentation

Mr. Dave Skelly of the Fort Wayne Jaycees, Inc. made a brief presentation in which he requested permission from the Commission to use the Baker Street Train Station from August to November 30, 1992 for their annual haunted house program. Mr. Shook explained that the Jaycee's are a not-for-profit organization, and depend heavily on the haunted house proceeds for their annual fund raising. The Jaycees have used the Greyhound Bus Station, but since demolition they have investigated other means and felt that

the Baker Street Train Station would be an appropriate place for their project. Mr. Skelly informed the Commission that Jaycees will only occupy the ground floor level of the station for the project.

The Jaycees understand that the Commission will not be responsible for cleaning up before or after the haunted house project. Mr. Skelly noted to the Commission that a walk through the station designing the floor plan is the first thing that needs to be prepared. The wood is purchased for the walls and partitions and all of the construction work is done on site. After the completion of the construction the decorating takes place. After all of the decorating is complete, a sound system is brought in for the sound affects. Mr. Skelly stated that the partitions and walls for the haunted house will stand free, and will not be fastened to the existing walls, floors, or ceilings.

Mr. Hines and Mr. Hill were concerned with whether or not the Jaycees would affect the construction of the station by being on the property. Mr. Hines felt that maybe construction should be held off until after October when the Jaycees are out of the station. Mr. Hill agreed to approve this request subject to staff assuring that potential developers have access to the station and the cooperation of the Jaycees during the time they are occupying the station. Mr. Boyer noted to the Commission that even if the possibility of a developer requesting to purchase the property should take place, there are many activities which will precede this. Title work will need to be prepared, a development agreement will need to be negotiated, a special Commission meeting will need to be called approving the acceptance of the developers plans, and the developer will need time to arrange the financing. Mr. Boyer stated that he doubts that this process can be completed within the 80 day time frame in which the Jaycees will be occupying the station.

Mr. Eisbart stated that his biggest concern with allowing the Jaycees to occupy the station for their haunted house project, would be if a prospective developer was interested in occupying the property during the time the Jaycees were using the space. Mr. Fletcher stated that a clause could be put into the contract addressing "that a potential developer could tour the station during the time the Jaycees were occupying it and the Commission would have the option of closing on the property." Mr. Eisbart went on to say that he believes the chances of this happening and interrupting the Jaycees plans for a haunted house is small, nevertheless he would prefer having a stipulation in the agreement addressing this concern.

Mr. Skelly stated that because the personnel working on the project are strictly volunteers and not being paid for their efforts, more time has to be allowed to construct the haunted house. Mr. Skelly went on to say that it generally takes at least 2 1/2 months to prepare for the event, and that they are usually working on the project right up to the day of opening.

After further discussion, two amendments were made by the Commission. The first amendment was to amend the contract subject to staff reviewing construction plans, and the assuring that this project will not conflict with any construction plans.

On a motion by Mr. Hill, second by Simler, the Commission unanimously agreed to allow staff to review construction plans with the reassurance that the haunted house project will not conflict with any construction plans.

The second amendment is an amendment to the amendment, to read: subject to the time period that the Jaycees are occupying the space at the Baker Street Train Station, if the building is sold and

Minutes

August 17, 1992

Page -3-

occupancy required during the same time period, then the Jaycees will be obligated to abandon the property.

On a motion by Mr. Eisbart, second by Mr. Hines, the amendment to the amendment was passed.

Mr. Eisbart assured Mr. Skelly that the chances of such a thing happening is very minimal, but that the Commission would allow the Jaycees to speak to any potential developer that may want the station abandoned before the sale of land. Mr. Eisbart stated that the Commission and staff would be willing to speak on behalf of the Jaycees and their fund raising project in an attempt to defer the closing until after November 30th. Mr. Hill suggested to the Jaycees that they should have a cancellation clause in the contract and that the Commission would agree to the cancellation clause.

Resolution 92-66

Approving a change order to the contract with Harold McComb & Son, Inc.

Mr. Fletcher explained to the Commission that there was an additional cost incurred in order to transport a bus hut to Indiana Purdue University at Fort Wayne. Harold McComb agreed to perform the transportation of the bus hut as a change order to their contract with the Commission in the amount of \$200.00. Staff recommends that the Commission approve a change order to the contract with Harold McComb & Sons, Inc. in an amount not to exceed \$200.00.

On a motion by Mr. Simler, second by Mr. Eisbart, Resolution 92-66 was unanimously approved.

Update Midtowne Crossing

Mr. Wernet reported to the Commission that in respect to the Thorleif Larson litigation, the defendants have received a second extension. Mr. Wernet mentioned that they have received some information pertaining to untreated or lightly treated wood which was used in the frames for the Lillie Building. He has not received the final report and is still waiting to hear from the structural engineer.

Mr. Lindsay reported to the Commission that there are currently (2) two historical units available for sale, and (36) thirty-six (non-historical) new units available for sale. Mr. Lindsay noted that in respect to the commercial space, Dad's Restaurant is roughly 2 to 2 1/2 weeks away from completion. Mr. Simler wanted to know what caused the delay in Dad's opening? Mr. Lindsay responded that he believes was the biggest part of the delay was the bidding process, specification writing and plan, approval from the State. Redevelopment staff closed its relocation agreement with Khai Luong in late May early June time frame. Mr. Lindsay mentioned that Summit Discount Brokerage is on line, Midtowne Crossing Stationers has been on line for a several months. Khai Luong, the owner of Dad's Restaurant, is also occupying a space, the Downtown Cafe, to the north of the intersection of Calhoun and Wayne Street. That space is also under construction with an estimated of completion is 3 1/2 weeks. The Attorney's office is completed. Salad Galley opened a few weeks ago and seems to be doing very well. Red Dog Cafe is estimated to be roughly 3 1/2 weeks away from completion. Part of their delay was having to deal with the historical aspect of the property that requires an extra review process. Mr. Lindsay went on to say, that there is interest in the other spaces, an Attorney another restaurant as well as a book store.

Sturges, Griffin, & Trent is handling the commercial space for Summit Bank. Goldstine has the exclusive listing of the Vogue Building for the Redevelopment Commission.

Mr. Eisbart asked if any new developments have come up regarding Sheila Kennedy that Counsel would be at liberty to discuss without affecting the case. Mr. Boyer stated that at present the pleadings are in place, and he does not anticipate any activity until early September.

Update G.C. Murphy Project

Mr. Fletcher informed the Commission that he has spoken with George Huber prior to the meeting, who believes that the project is going as scheduled. There is machinery working at both the parking garage site and the Murphy building site. Mr. Fletcher noted that according to the contract between Redevelopment and Murphy & Associates the project's scheduled completion date is late 1993. Mr. Fletcher stated that the pre-leasing of the Murphy building is still on going. Mr. Fletcher was informed that they are still in negotiations with potential tenants for some of the larger spaces. Mr. Boyer added that Mr. Huber has informed him that he is within 30 days of leasing one of the larger spaces. The construction of the Redevelopment Commission's portion in the project; the public improvements, sidewalks, curbs, stormwater drainage, etc., will begin in the spring 1993.

Resolution 92-67

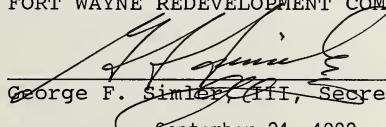
Approving a relocation allowance for the First Land Title Company

Mr. Fletcher stated that he has concluded his discussions with Jim Suelzer of First Land Title Company in regards to his relocation agreement and release. Mr. Suelzer signed the relocation agreement with the Redevelopment Commission accepting the relocation amount of \$13,982.81. This represents compensation in full for all relocation expenses to which his business is entitled.

On a motion by Mr. Hill, second by Mr. Simler, Resolution 92-67 was unanimously approved.

With no further business to discuss, Mr. Eisbart moved to adjourn the August 17th regular monthly meeting. The motion was second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: September 21, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
SEPTEMBER 21, 1992

TIME: 6:00 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: Glynn A. Hines, George F. Simler, III,
R. Steven Hill, Mark D. Becker

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Hines called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Hines noted that Commission Member Ben Eisbart was not present during the Public Hearing.

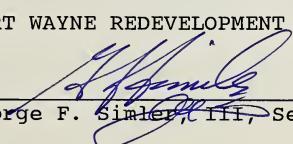
Baker Street Station Urban Renewal Area

Mr. Fletcher noted to the Commission that in order for the Commission to facilitate development of the Baker Street Train Station staff felt that it would be beneficial to establish the property as an urban renewal area and an allocation area.

Loren Kravig explained to the Commission that the boundaries of the urban renewal area coincide with the property that the Commission owns, the train station and the immediately surrounding land, as well as a vacant lot to the west, which is currently owned by Lincoln National Corporation. Loren also stated that all necessary steps have been taken prior to the public hearing in order to establish an urban renewal area. Staff is requesting from the Commission their approval of the urban renewal area by way of Confirmatory Resolution 92-70.

Mr. Hines asked three times if there was anyone present wishing to speak in favor of the proposal. After hearing no response, Mr. Hines asked three times if there was anyone present wishing to speak against the proposal. Hearing no response from anyone Mr. Hines moved to adjourn the public hearing of the Fort Wayne Redevelopment Commission. The motion was second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: October 19, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
SEPTEMBER 21, 1992

TIME: 5:00 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: Glynn A. Hines, George F. Simler, III
R. Steven Hill, Mark D. Becker

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: George Huber and Brian Meeks, Murphy &
Associates, Inc.
Bob Hoover, Baker & Daniels

CALL TO ORDER

Mr. Hines called to order this Executive Session of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Hines noted that Commission Member Ben Eisbart was not present during this meeting.

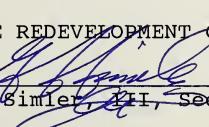
Discussion of strategy reference to initiation of litigation or pending litigation. 5-14-1.5-6 (2) (B)

The Executive Session was recessed until after the regular meeting, during which the Commission agreed to reconvene the meeting.

The Executive Session was reconvened after the regular session of the Fort Wayne Redevelopment Commission.

After a brief discussion, Mr. Hines made a motion to adjourn the executive session.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: October 19, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 21, 1992

TIME: 6:30 P.M.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: Glynn A. Hines, George F. Simler, III,
R. Steven Hill, Mark D. Becker

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Hines called to order this Regular Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Hines noted that Commission Member Ben Eisbart was not present during this regular monthly meeting.

APPROVAL OF CLAIMS

Mr. Hines made a motion to approve the August 1992 claims, the motion was second by Mr. Hill.

APPROVAL OF MINUTE(S)

Mr. Hines asked for a motion to approve the July 20, 1992 regular meeting minutes, August 17, 1992 regular meeting minutes, and August 17, 1992 planning session minutes. Mr. Simler asked that a correction be made to the August 17th regular meeting minutes noting that the motion regarding the Jaycees contract was not unanimously agreed upon by the Commission, and that two (2) amendments were made to the contract. The motion to approve the July and August minutes as corrected was made by Mr. Hill, second by Mr. Becker.

OLD BUSINESS

No old business to report at this time.

NEW BUSINESS

Resolution 92-69

Approving Illinois/Getz Road bond issue

Mr. Fletcher explained that the Redevelopment Commission/City of Fort Wayne currently has a development agreement with Meijer. The agreement states that the Redevelopment Commission will create an urban renewal area and allocation area as well as issue a \$1.2 Million bond in order to do the roadway and drainage improvements on Getz Road. The City has solicited bids for the drainage improvements, the bid came in at approximately \$230,000, including engineering etc. Bids have also been solicited for Getz Road improvements, lighting, sidewalks, curbs, etc., which came in at approximately \$700,000. Mr. Fletcher stated that he does not believe that the entire amount of \$1.2 Million will be issued. Mr. Fletcher mentioned that he is waiting for the Engineering department to complete their process to determine what the exact amount of project costs will be. Mr. Fletcher stated that he has received some new figures that are attached to Resolution 92-69. One of the areas discussed is construction costs, which is

currently \$907,962.00 Mr. Fletcher believes that amount will decrease.

Mr. Fletcher went on to say that in his opinion he believes that the bond issue amount will decrease to roughly \$900,000 to \$1 Million. Mr. Fletcher noted that a final resolution will be prepared to discuss at the next scheduled meeting. Mr. Fletcher is asking that the Commission approve this resolution as written in order to go forward with the project.

On a motion by Mr. Hill second by Mr. Simler, Resolution 92-69 was unanimously approved.

Resolution 92-70

Confirmatory Resolution Baker Street Train Station Urban Renewal and Allocation Area

Mr. Fletcher explained that the Confirmatory Resolution maybe approved as a result of the public hearing, and staff therefore recommends the approval of Resolution 92-70.

On a motion by Mr. Simler second by Mr. Hill, Resolution 92-70 was unanimously approved.

Resolution 92-71

Approving a Land Use Agreement with the Fort Wayne Jaycees

Mr. Fletcher noted that at a previous meeting the Commission was concerned in regards to the Commission's ability to dissolve the agreement with the Jaycees if a potential developer would be interested in occupying the property during the time the Jaycees were using the space. There were several recommendations made by the Commission that could possibly be added to the agreement. Mr. Fletcher stated that legal counsel has prepared another agreement incorporating the concerns of the Commission. Mr. Boyer noted that Paragraphs 1(a), (b), and (c) are the changes resulting from the last meetings discussion. Jaycees will be given a seven (7) day notice of vacation if there would be a developer that wanted to occupy the property during the time the Jaycees were occupying it. The Jaycees in turn have the right to cancel in two (2) days notice. The Commission has the right to show the property to potential developers, and to employ architects or workmen to conduct such work on the improvements that will not impair access to the premises by Jaycees or their invitees.

After briefly discussing the changes to the Land Use Agreement, Mr. Simler made a motion to approve Resolution 92-71, the motion was second by Mr. Becker, unanimously approving Resolution 92-71.

Resolution 92-72

Awarding a contract to Harold McComb & Son, Inc., for Jefferson House Facade Rehabilitation

Mr. Fletcher stated that at a previous meeting bids were opened for the Jefferson House facade renovation. The bid came in at \$38,500.00. Staff felt that the bid was too high, and above architectural estimates. Mr. Fletcher noted that the concern was brought to the attention of McComb & Son, Inc. Mr. McComb re-evaluated his figures and reduced his figures to \$ 34,540.00, and commented that he could probably save the Commission an additional \$1,900.00. Loren consulted with the architect, noting Mr. McCombs suggested modifications. Loren stated that the architect's response was that the modifications suggested by Mr. McComb would still result in a quality and durable project. Loren noted that the cost of the bid has therefore been further reduced to \$32,915.00. Staff recommends the services of Harold McComb & Sons, Inc. with a bid of \$32,915.00.

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On a motion by Mr. Hill, second by Mr. Simler, Resolution 92-72 was unanimously approved.

Resolution 92-73

Allowing the designation of property as an Economic Revitalization Area for the Troy Towel Supply Company

Mr. Fletcher explained to the Commission that the Hanna School property was once owned by the Redevelopment Commission. During the time the Commission owned the property, the Commission went through a process in order to form an urban renewal area. State law requires that the Redevelopment Commission allow or disapprove the designation of properties located within an urban renewal area as Economic Revitalization Areas. Troy Towel Supply Company must also receive approval from City Council. The Commission currently has a development agreement with Ralph Jones. Mr. Jones is applying for a tax abatement to help with his expansion.

On a motion from Mr. Hill second by Mr. Becker, Resolution 92-73 was unanimously approved.

Resolution 92-74

Approving a change order to the R.L. Kelley contract

Loren Kravig stated that the Commission approved Resolution 91-79 awarding the contract for roof replacement to R.L. Kelley Company, Inc. The contractor has found it necessary to replace an additional 224 square feet of damaged and dry-rotted wood decking at \$2.20 per square foot and 30 linear feet of 2" x 4" at \$1.50 per linear foot. The architect and staff has determined that additional work was necessary. The contractor has submitted a price of \$537.80, which brings the change order total to date to \$5,555.80 in addition to the original contract amount of \$136,450.00. Staff recommends the approval of Resolution 92-74.

On a motion by Mr. Simler, second by Mr. Hill, Resolution 92-74 was unanimously approved.

Resolution 92-75

Approving 1993 Redevelopment Commission Capital and General Budgets

Mr. Fletcher noted that all city departments are instructed to prepare a budget to be presented to Council. Redevelopment Legislation requires the Commission to submit (2) two budgets every year, one for the Capital fund and one for the General fund. Mr. Fletcher went through each of the areas explaining increases and decreases to the 1993 budget. After a brief discussion, staff recommended approval of the Redevelopment Commission's 1993 budgets.

On a motion by Mr. Hill second by Mr. Becker, Resolution 92-75 was unanimously approved.

OTHER BUSINESS

Resolution 92-76

Approving a change order to the Martin Enterprises Contract

Mr. Fletcher explained that the Commission has a contract with Martin Enterprises, Inc. After a public bidding process, Martin Enterprises was awarded the contract for demolition in the amount of \$335,300. During the course of the demolition project, the contractor found it necessary to perform additional services which were not covered under the original scope of work, necessitating a change order. The additional services performed were the removal and disposal of six (6) truckloads of contaminated soil at a cost of \$4,537.00, and provision of back-fill at a cost of \$3,525.00, for a total of \$8,062.00. Staff has recommended the approval of

Minutes

September 21, 1992

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the change order to reflect a total amount of \$343,362.00.

On a motion by Mr. Becker, second by Mr. Hill, Resolution 92-76 was unanimously approved.

Additional Discussion Regarding Baker Street Train Station

Mr. Fletcher explained that based on the information that was presented in the proposals, submitted by Trackside Development, Inc., and Spencer Lewis, he feels that Mr. Lewis' idea for a banquet center is more appropriate than a bus station. Mr. Fletcher questions whether Class A tenants would be willing to move into a building with buses. Mr. Fletcher was impressed with the contacts that were made by the Spencer Lewis group in terms of financing and tenants, the flexibility of the proposal as it relates to Lincoln National Corporation and Lincoln Museum. Staff believes that a reception hall seems more logical in the space. Staff has suggested that the Commission give Mr. Lewis 90-120 days to put his financing package together, which will give staff enough time to have the appraisals performed. Loren Kravig mentioned to the Commission that he has received the recommendations of the committee, and they all agree that the proposal submitted by Spencer Lewis and his group represents the highest and best use of the station.

Mr. Fletcher suggested to the Commission that instead of ruling out Trackside Development, Inc., entirely, the Commission should allow Spencer Lewis and his group the necessary time to secure financing, and if for some reason it does not work out, the Commission still has the ability to negotiate with Trackside Development, Inc.

Mr. Hines made a motion to approve the selection of Spencer Lewis to develop the Baker Street Train Station, the motion was second by Mr. Simler.

Mr. Hines announced that the Redevelopment Commission will be conducting a Baker Street masonry bid opening on Monday, September 28, 1992 at 4:00 p.m. In order to accept the bids, (3) three Commission members are needed to form a quorum. Mr. Simler, Mr. Hill, and Mr. Becker all agreed to attend the bid opening on September 28th.

Mr. Hines made a motion to adjourn the meeting of the Fort Wayne Redevelopment Commission, the motion was second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: October 19, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
BID OPENING
SEPTEMBER 28, 1992

TIME: 4:00 p.m.

PLACE: City-County Building, Conference Room 810

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Mark D. Becker

MEMBERS ABSENT: Benjamin A. Eisbart, Glynn A. Hines

STAFF PRESENT: Loren Kravig and James C. Lindsay

CALL TO ORDER

Mr. Simler called to order the meeting of the Fort Wayne Redevelopment Commission.

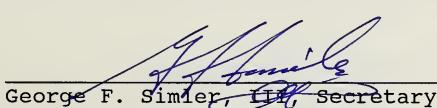
Six bids were submitted to the Fort Wayne Redevelopment Commission for review:

1.	Robert E. Crosby & Son, Inc.	\$ 82,790.00
2.	Midwest Caulking, Inc.	\$ 79,975.00
3.	Harold McComb & Son, Inc.	\$ 117,500.00
4.	Midwest Maintenance, Inc.	\$ 63,502.00
5.	Mid-Continental Restoration Co., Inc.	\$ 76,824.00
6.	Butler Restoration, Inc.	\$ 49,653.00

The bids were accepted subject to review by staff and project architect.

On a motion by Mr. Simler, second by Mr. Becker, the meeting was adjourned.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: October 19, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
MINUTES
OCTOBER 8, 1992

TIME: 5:00 P.M.

PLACE: City-County Building, Conference Room 810

MEMBERS PRESENT: Benjamin A. Eisbart, George F. Simler, III,
R. Steven Hill, Mark D. Becker

MEMBERS ABSENT: Glynn A. Hines

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig

COUNSEL PRESENT: R. David Boyer

CALL TO ORDER

Mr. Eisbart called to order this executive session of the Fort Wayne Redevelopment Commission.

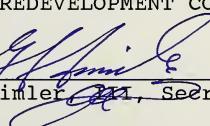
ROLL CALL

Mr. Eisbart noted that Commission Member Glynn A. Hines was not present during this executive session.

Discussion of strategy reference to initiation of litigation or pending litigation 5-14-1.5-6 (2) (B).

Mr. Eisbart moved to adjourn the executive session of the Fort Wayne Redevelopment Commission.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: October 19, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
OCTOBER 19, 1992

TIME: 5:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, Glynn A. Hines,
R. Steven Hill, Mark D. Becker

MEMBERS ABSENT: George F. Simler, III

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer

OTHERS PRESENT: Mark Krcmaric, Barnes & Thornburg

CALL TO ORDER

Mr. Eisbart called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

ROLL CALL

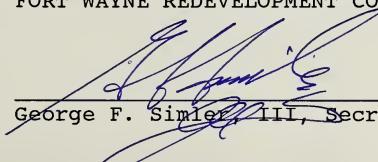
Mr. Eisbart noted that Commission Member George Simler was not present during this meeting.

Illinois/Getz Road Economic Development Area/Regarding appropriation of bond proceeds

Mr. Fletcher explained to the Commission that at a previous meeting a Resolution was passed appropriating a maximum of \$1.2 Million for public improvements in the Illinois/Getz Road Economic Development Area. Mr. Fletcher went on to explain that the improvements will take place from the south pavement line of Illinois Road to the north pavement line of Covington Road by surfacing, milling, widening, and resurfacing of the existing pavement, including drainage, along with partial sidewalks, curbs, commercial and private drive encroaches, and street lights.

Mr. Eisbart asked three times if there was anyone present who wished to speak in favor of the project. Hearing no response, Mr. Eisbart then asked if there was anyone present who wished to speak against the project. The question was asked three times before Mr. Eisbart moved to adjourn the public hearing of the Fort Wayne Redevelopment Commission. The motion was second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: November 16, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
OCTOBER 19, 1992

TIME: 5:15 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, Glynn A. Hines,
R. Steven Hill, Mark D. Becker

MEMBERS ABSENT: George F. Simler, III

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Mark Krcmaric, Barnes & Thornburg

CALL TO ORDER

Mr. Eisbart called to order this regular meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Eisbart noted that Commission Member George Simler was not present during this regular monthly meeting.

APPROVAL OF CLAIMS

Mr. Eisbart asked for a motion to approve the September 1992 claims. Hines made a motion to approve the claims, and the motion was second by Mr. Hill.

APPROVAL OF MINUTES

Mr. Eisbart asked for a motion to approve the September 21, 1992 executive session, public hearing, and regular meeting; September 28, 1992 bid opening; and October 8, 1992 executive session. Mr. Hill made a motion to approve the minutes, second by Mr. Becker.

OLD BUSINESS

No old business to report.

NEW BUSINESS

Update on Projects:

a. **Jefferson House** - Harold McComb & Son, Inc. was awarded the bid for the restoration of the Jefferson House. The original bid amount was \$38,500.000. After negotiations with the contractor, the bid was reduced to \$32,915.00. Harold McComb & Son, Inc. has begun work and is now 90% complete with the demolition phase of the project.

b. **Baker Street Station** - R.L. Kelley Company, has completed the roofing work at the train station. Hoeppner Construction has completed their interior demolition work. Environmental Management Specialists has completed their asbestos removal work, and the Jaycees have begun their haunted house fund raiser. Loren mentioned that he has participated in the haunted house and felt that the Jaycees did an excellent job. Midwest Maintenance, Inc., is the lowest and best bidder for masonry rehabilitation at the train station, and a Resolution will be introduced at this meeting to award the contract. Spencer Lewis and company has submitted his October progress report to the Commission. As part of the

stipulation in awarding the bid to Spencer Lewis and his group, they must provide the Commission with 3 monthly progress reports: October, November, and December. Mr. Lewis' October report indicated that he is working on securing equity financing for the project.

c. **Midtowne Crossing** - Jim reported to the Commission that there have been no new commercial leases and sales since the last report to the Commission at the September meeting. Located in the commercial space to date is Khai Luong's Chun King Restaurant; Summit Financial Services; Midtowne Stationers; John Wray, Attorney; Salad Galley; Sidewalk Gourmet, which is in the process of being built out; Red Dog Cafe; and Subway Sandwich Shop, which is in the process of being built out. Jim went on to say that there are prospects for the larger space in the Groth Building, the Printing Building, and also the small space located in the Schmitz Building.

With regard to Midtowne Crossing sales, 2 historic properties remain. They both have purchase agreements pending, but have not yet closed. There are 34 non-historic units remaining, however, there are 2 purchase agreements waiting to close. Staff believes that the pace has picked up considerably on the non-historic units. Ron Fletcher noted that he and legal counsel have met with Thorlief Larson and U.S. Brick regarding the pending litigation. Thorlief Larson and U.S. Brick have agreed to do some remedial work on the brick. They verbally agreed to draft a letter to the Commission specifying the scope of the remedial work which is necessary to address the water problems with the brick.

d. **Headwaters Park** - Ron noted to the Commission that the final application has been submitted for the \$250,000 in Build Indiana. Staff anticipates that this should be the last step before notification that the money is available.

e. **Flood Mitigation Acquisition** - Mr. Fletcher stated that the Commission has been handling the flood mitigation acquisitions as part of the Commission's work program. Jim Lindsay stated that under the 1992 Flood Mitigation Acquisition Program, the Planning Department identified certain residences that are in the flood plain and subject to repeated damage by flooding. As a part of the 1992 Flood Mitigation Program, the City has purchased two and has two additional properties pending acquisition.

f. **INB Project** - Mr. Fletcher informed the Commission that Murphy & Associates is going through a negotiation process with NBD/INB. It has been reported to Mr. Fletcher that NBD/INB seems to be cooperative as it relates to negotiations with Murphy & Associates. Mr. Fletcher stated there is a good possibility that a Resolution will be forthcoming as a result of the negotiations with NBD/INB.

g. **Alley behind Merrill Lynch Building** - Mr. Fletcher noted to the Commission that the repaving of the alley behind the Merrill Lynch Building has begun. The Commission has contracted with Mergy Construction to pave the alley to make it more attractive and functional for pedestrians and automobiles alike.

Resolution 92-68

Approving an Exclusive Listing Agreement with Goldstine, Inc.

Mr. Fletcher noted to the Commission that the Exclusive Listing Agreement with Goldstine, Inc. for the Jefferson House has expired. The agreement with Goldstine, Inc., expired on September 30, 1992. Staff has prepared a Resolution to extend the agreement with Goldstine, Inc. for the purpose of sales and marketing of the property. The Resolution further authorizes the Executive Director to execute two (2) additional 6 month extensions of this agreement

until the building has been sold.

On a motion by Mr. Hill, second by Mr. Becker, Resolution 92-68 was unanimously approved.

Resolution 92-77

Ratifying and confirming Resolution 92-69 and appropriating \$1,200,000 for the Illinois/Getz Road Economic Development area TIF bond

Mark Krcmaric, Bond Counsel for the Meijer Project, stated that at the September 21, 1992 Commission meeting a \$1.2 Million bond resolution was approved by the Commission. Mr. Krcmaric stated that this was purely a Tax Increment Financing bond that was very similar to TIF bond issues which have financed the Commission's portion of past projects. The bond proceeds shall pay for the government's share of the project and incidental expenses. Mr. Krcmaric mentioned that one of the differences with this bond is that this is not a diverse TIF area, and consequently this is not a bond that is marketable to the general public because of the risks involved. Mr. Krcmaric further explained to the Commission the procedure regarding the issuance of the bonds involved very little risk for the Commission. Mr. Krcmaric went over the Taxpayer Agreement, explaining that this was designed to give additional insurance that the bonds will be paid. The Taxpayer Agreement establishes a personal covenant of Meijer, obligating their financial resources to make sure they pay their property taxes. The Agreement also enhances the security for the bonds by providing additional assurance that there will be sufficient revenues available to pay debt service on the bonds. The Continuing Guaranty of Payment Agreement has been drafted to ensure accurate payments by the Commission and Meijer.

On a motion by Mr. Hill, second by Mr. Becker, the Commission unanimously approved Resolution 92-77.

Resolution 92-78

Taxpayer Agreement with respect to Illinois/Getz Road Economic Development Area

On a motion by Mr. Hill, second by Mr. Becker, the Commission unanimously approved Resolution 92-78.

Resolution 92-79

Awarding a contract to Midwest Maintenance, Inc., Baker Street Station

Loren stated that on September 28 bids were opened for the rehabilitation of all exterior masonry at the Baker Street Train Station. There were six (6) proposals submitted to the Commission. The Commission staff and architect have reviewed the proposals to determine the lowest and best responsive, timely, and responsible bidder. The proposals submitted are as follows:

Butler Restoration	\$ 49,653
Midwest Maintenance	\$ 63,502
Mid-Continental Restoration	\$ 76,824
Midwest Caulking	\$ 79,975
R.E. Crosby & Son	\$ 82,790
Harold McComb & Son	\$ 117,500

In consultation with Commission's legal counsel, the proposal submitted by Butler Restoration was disqualified because the firm submitted an incomplete bid packet. Loren went on to say that there were several submittal required with each bid. Butler Restoration did not submit a complete proposal.

The next lowest and best proposal was submitted by Midwest Maintenance, Inc. Commission staff and architect have interviewed representatives from Midwest Maintenance and are satisfied that the contractor is qualified to perform the work. The contractor has also submitted a list of references. All of the references have proven to be favorable.

Based upon this company's proposal and qualifications, staff recommends that the award be made to Midwest Maintenance Inc.

On a motion by Mr. Becker, second by Mr. Hill, Resolution 92-79 was unanimously approved.

Resolution 92-80

Allowing the designation of property as an Economic Revitalization Area for the Consolidated Hospital Laundry Services, Inc.

Mr. Fletcher informed the Commission that Parkview Hospital, Lutheran Hospital, and St. Joseph Medical Center plan to combine their laundry needs and utilize only one laundry service. Hospital Laundry Services, Inc., a newly formed company will locate their operation within the Centennial Park Urban Renewal Area. State law requires that the Redevelopment Commission allow or disapprove of Economic Revitalization areas located within an urban renewal area.

After a brief discussion Mr. Hines made a motion to approve Resolution 92-80, the motion was second by Mr. Becker and unanimously approved.

Resolution 92-81

Approving an increase in the monthly parking rates and assessments for the Midtowne Crossing Parking Garage

Mr. Fletcher explained that the Commission has been responsible for the limited common area assessments at Midtowne Crossing. The Commission has been paying approximately \$22,000 annually for limited common area assessments. The Midtowne Crossing Owners Association has obtained a legal opinion which states that the Fort Wayne Redevelopment Commission, as the owner of the Midtowne Crossing Parking Garage, should be paying a full common area use assessment on the Midtowne Crossing Parking Garage which is equal to \$44,114.13 for the 1993 budget year. John Wernet has given an opinion that we should only be paying limited common area assessments. Staff does not agree with the Association's legal opinion, but does wish to avoid an adversarial relationship with the Association that could adversely effect the project. An increase in the monthly rental parking spaces in the Midtowne Crossing Parking Garage to \$65.00 per space per month will be necessary to partially offset the increase in assessments paid by the Commission to the Association.

On a motion by Mr. Becker, second by Mr. Hill, Resolution 92-81 was unanimously approved.

Workshop held by City's Purchasing Department

Glynn Hines mentioned that he attended a Purchasing Department workshop. One of the biggest concerns raised by some of the local contractors was that when a bid is close, that local contractors should be given first priority. Mr. Hill mentioned that he too would prefer that as many contracts as possible be given to local citizens opposed to contractors outside of Allen County, but only if the bid is competitive.

Barr Street Market Fountain

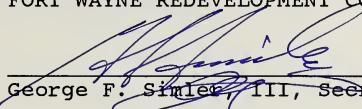
Mark Becker asked who was responsible for maintaining the appearance of the fountain located at the Barr Street Market. Mr.

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October 19, 1992
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Fletcher stated that at one time the Board of Works & Safety was responsible, but that the title was transferred to the Historic Preservation Society which is now responsible for the Barr Street area. Mr. Fletcher believes a lack of financing may explain why nothing has been done to restore the fountain. The Commission and staff mentioned the possibility of assisting with the financing. Mr. Fletcher said he would be meeting with the Historic Prdervation Society on another matter and would discuss this issue with the Society.

With no further business to discuss, Mr. Eisbart made a motion to adjourn the meeting of the Fort Wayne Redevelopment Commission. The motion was second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: November 16, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
NOVEMBER 16, 1992

TIME: 5:00 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, President
Glynn A. Hines, Vice-President
George F. Simler, III, Secretary
R. Steven Hill, Member
Mark D. Becker, Member

MEMBERS ABSENT: All members present

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: George Huber, Murphy & Associates, Inc.

CALL TO ORDER

Mr. Eisbart called to order this Executive Session of the Fort Wayne Redevelopment Commission.

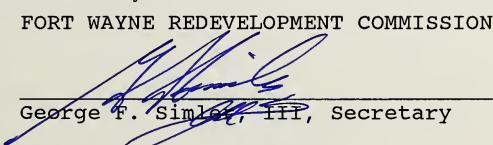
ROLL CALL

Mr. Eisbart noted that all Commission Members were present during this Executive Session.

Discussion of strategy reference to initiation of litigation or pending litigation 5-14-1.5-6 (2) (B)

With no further business to discuss, the Executive Session of the Wayne Redevelopment Commission adjourned at 5:30 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: January 12, 1993

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
NOVEMBER 16, 1992

TIME: 5:30 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, President
Glynn A. Hines, Vice-President
George F. Simler, III, Secretary
R. Steven Hill, Member
Mark D. Becker, Member

MEMBERS ABSENT: All members present

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Ed Harming and Dale Krauskopf
DHK Enterprises Limited

CALL TO ORDER

Mr. Eisbart called to order this regular meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Eisbart noted that all Commission Members were present during this regular monthly meeting.

APPROVAL OF CLAIMS

Mr. Eisbart asked for a motion to approve the October 1992 claims. Mr. Hill made a motion to approve the claims, the motion was second by Mr. Hines.

APPROVAL OF MINUTES

Mr. Hill made a motion to approve the October 19, 1992 Minutes, the motion was second by Mr. Hines.

OLD BUSINESS

No old business to report at this time.

NEW BUSINESS

Resolution 92-82

Allowing the designation of property as an Economic Revitalization Area for DHK Enterprises Limited

Mr. Fletcher introduced Mr. Ed Harmining and Mr. Dale Krauskopf with DHK Enterprises, Ltd. Mr. Harmining stated to the Commission that DHK Enterprises, Ltd. is requesting approval from the Commission to locate their facility in Centennial Industrial Park with a designation as an Economic Revitalization Area. Mr. Harmining stated there will be approximately 11,200 sq. ft. of new construction, the estimated project cost is \$240,000; the added employment is 10; and, if approved by the Commission, the estimated completion time is spring 1993. DHK Enterprises, Ltd is engaged in light manufacturing of electric components. The manufacturing is presently done in an 8,000 sq. ft. building which does not provide adequate space. Mr. Fletcher reminded the Commission that State law requires that the Redevelopment Commission allow or disapprove of Economic Revitalization status for properties located within an urban renewal area.

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On a motion by Mr. Simler, second by Mr. Hill, Resolution 92-82 was unanimously approved by the Commission.

Resolution 92-83

Ratifying and confirming the execution of Midtowne Crossing commercial leases entered into by the Executive Director, and authorizing the transfer of title

Mr. Fletcher noted that at a previous Commission meeting, the Commission approved giving the Executive Director the authority to sign the Midtowne Crossing commercial lease agreements. Mr. Fletcher brought Exhibit "A" to the Commission's attention, which lists the lease agreements that have been signed. Mr. Wernet stated that the Commission entered into a Letter of Understanding with Summit Bank on May 14, 1992, whereby the Commission agreed to transfer title to commercial units within Midtowne Crossing at such time as Midtowne Crossing commercial leases were executed and to assign the leases to Summit Bank. Mr. Wernet has requested a Corporate Resolution confirming Mr. Dick Thompson's authorization to represent the bank, and also a specification from the bank as to how much should be proportioned to the fair market value for each commercial space. This information has not been provided to Mr. Wernet or staff as yet, and the units will not be transferred until this information has been provided.

On a motion by Mr. Simler, second by Mr. Becker, Resolution 92-83 was unanimously approved by the Commission.

Resolution 92-84

Ratifying the selection of Appraisers

Mr. Fletcher explained to the Commission that at the time the Commission solicited for a developer for the Baker Street Train Station, an appraisal had not been performed on the property. In order to dispose of the property, the Commission must comply with Indiana Codes which requires that an offering price be established by taking the average of two independent appraisals. Commission staff recommends the services of Mr. Ronald Gettel and Mr. Larry Misner to perform said appraisals. Mr. Gettel and Mr. Misner have both agreed to perform an appraisal of the Baker Street Train Station for a fee not to exceed Two Thousand Dollars (\$2,000.00).

On a motion by Mr. Hill, second by Mr. Becker, Resolution 92-84 was unanimously approved by the Commission.

Resolution 92-85

Establishing the offering price for the Baker Street Train Station

The Commission has examined the appraisals and the offering price, which may not be less than the average of the two appraisals. The Commission hereby approves the establishment of the offering price for the Baker Street Train Station as the average of the two appraisals rendered by Messrs. Gettel and Misner. The offering price for the Train Station is therefore approved as a nominal sum. Mr. Fletcher requested that an amendment to the Resolution be made to state "said sum being \$10.00, plus other valuable considerations including, but not limited to execution of a satisfactory development agreement in compliance with the Urban Renewal Plan."

On a motion by Mr. Hill, second by Mr. Becker, Resolution 92-85 was unanimously approved by the Commission as amended.

Meijer Bond Issue Status

Mr. Fletcher stated that negotiations with Meijer has for the most part been finalized. Meijer has agreed to all of the terms in the private placement memorandum. Meijer has also provided a sample Letter of Credit for \$500,000.00.

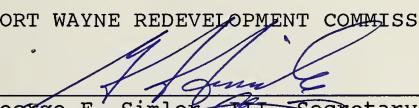
The Letter of Credit will be given to the Board of Public Works, since the Board of Works will be entering into a contract for all construction in the Meijer project. Meijer has agreed to buy the bonds at approximately One Million Forty Thousand Dollars. It was agreed to eliminate the debt service reserve in order to decrease the Bond issue. There is also a Taxpayers Agreement with Meijer which states that if there is not enough real property taxes to pay the Bond issue, Meijer will pay upon demand any delinquent taxes and interest to service the debt over the life of the bond. Mr. Fletcher believes that Meijer will start site preparation around early April and start construction in August. Mr. Fletcher mentioned that closing on the Bond issue is scheduled for the 24th of November.

Discuss Apple Glen Redevelopment and Allocation Area

Mr. Fletcher noted to the audience that there is a three party agreement between the Redevelopment Commission, the City of Fort Wayne, and Apple Glen Investors. The Commission agreed to prepare a Bond issue after Wal Mart was developed and Duane Bobeck agreed to buy the Bond issue at a maximum of \$500,000.00. Presently, the bank has foreclosed and Duane Bobeck has filed Chapter 11. The Commission's agreement with Duane Bobeck is therefore null and void. Mr. Fletcher went on to say that unless Mr. Bobeck complies with the development agreement for the project, the Redevelopment Commission has no other involvement with the Apple Glen Project.

With no further business to discuss Mr. Eisbart moved to adjourn the meeting, the motion was second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, M.L., Secretary

ADOPTED: January 12, 1993



